

FINAL REPORT



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**Moving Forward
in Challenging
Times**

ASSEMBLY
DEMOCRATIC
CAUCUS



2001-2002 Legislative Session

End of Session Report

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HIGHLIGHTS

CALIFORNIA'S RESPONSE TO TERRORISM

As a result of the tragic events of September 11, 2001, the Assembly aggressively passed legislation to protect our citizens from future terrorist threats and to grant economic relief to dependents of September 11th victims.

AB 74 (Washington) Interception of communication.

Extends the sunset date of the current wiretap provisions until 2008. Adds weapons of mass destruction and destructive device crimes to the list of offenses subject to electronic surveillance upon application by law enforcement.

Last Action: Chaptered by Secretary of State - Chapter 605, Statutes of 2002.

AB 1433 (Horton) Military service: benefits.

Incorporates into state law several provisions of the federal Soldiers and Sailors Relief Act of 1940 (SSCRA), which grants certain benefits to persons called to federal military service abroad. Extends these SSCRA benefits to California reservists and members of the California National Guard called to state military duty or to federal military duty on domestic territory. The bill also provides protections for these persons during their period of military service with respect to, among other things, court proceedings, contract obligations, rental agreements, taxes or assessments, and health or medical insurance.

Last Action: Chaptered by Secretary of State - Chapter 60, Statutes of 2002.

AB 1746 (Liu) Postsecondary education: tuition and fees.

Prohibits the University of California, California State University, and the California Community Colleges from assessing any fees or tuition for direct dependents of any individual killed in the September 11, 2001 terrorist attacks.

Last Action: Chaptered by Secretary of State - Chapter 450, Statutes of 2002.

AB 1759 (Wesson) California memorial scholarship program: California memorial license plates.

Creates the California Memorial Scholarship Program that would be administered by the California Student Aid Commission to award scholarships and need-based grants to surviving spouses and dependents of California residents killed in the terrorist attacks of September 11, 2001.

Last Action: Chaptered by Secretary of State - Chapter 38, Statutes of 2002.

AB 1847 (Correa) Public employees: public safety members: biochemical substances.

Establishes a compensable injury presumption under the Workers' Compensation Law and the disability retirement provisions of state and local retirement systems for exposure to a biochemical substance.

Last Action: Chaptered by Secretary of State - Chapter 870, Statutes of 2002.

AB 2105 (La Suer) DNA collection.

Adds persons convicted of terrorist activity in violation of the weapons of mass destruction provisions to those offenders who are required to provide DNA samples for inclusion in the state database.

Last Action: Chaptered by Secretary of State - Chapter 160, Statutes of 2002.

AB 2114 (La Suer) Department of Justice: evidence.

Requires the State Department of Justice to adopt standards and guidelines to be used by laboratories when handling any material that may become evidence in a criminal prosecution for any crime committed in the commission of a terrorist activity.

Last Action: Chaptered by Secretary of State - Chapter 125, Statutes of 2002.

AB 2406 (Horton) Disaster assistance.

Renames the Natural Disaster Assistance Act", administered by the Governor's Office of Emergency Services, as the "Disaster Assistance Act", and expands the authorized uses of Natural Disaster Assistance Funds to include disasters caused by terrorism or epidemic.

Last Action: Chaptered by Secretary of State - Chapter 461, Statutes of 2002.

AB 2522 (Dutra) California Highway Patrol: transportation system.

Requires California Highway Patrol, in cooperation with the Office of Emergency Services, working with federal, state, and local agencies, to perform a risk assessment of the state's transportation system and to submit a confidential report of its findings to the Legislature's leadership prior to July 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 243, Statutes of 2002.

AB 2760 (Simitian) Elections: special elections.

Expedites special elections for filling congressional vacancies resulting from a natural or man-made catastrophe. Special elections invoked under this measure would consist of a single election occurring between 56 and 63 days after the Governor issues the proclamation calling the election. Existing special elections for congressional vacancies have both a primary and a general election and can take up to 119 days. The events of 9/11 revealed the need for a means to quickly ensure that the House of Representatives can continue to function in the aftermath of a catastrophe.

Last Action: Chaptered by Secretary of State - Chapter 658, Statutes of 2002.

AB 2846 (Frommer) Public safety officers: American flag.

Specifies in the Public Safety Officers Procedural Bill of Rights Act that the employer of a public safety officer may not take any punitive action against an officer for wearing a pin or displaying any other item containing the American flag unless certain procedures are followed.

Last Action: Chaptered by Secretary of State - Chapter 170, Statutes of 2002.

ACR 127 (Oropeza) September 11, 2001: day of remembrance.

Recognizes September 11 of each year as a Day of Remembrance.

Last Action: Chaptered by Secretary of State - Res. Chapter 33, Statutes of 2002.

SB 510 (Scott) Transportation facilities: offenses.

Makes it a misdemeanor to knowingly possess certain weapons, replica weapons, parts of weapons, and ammunition within a sterile area of an airport to which access is controlled by screening of persons and property. Makes it an alternate infraction/misdemeanor for an unauthorized person to enter an airport operations area.

Last Action: Chaptered by Secretary of State - Chapter 608, Statutes of 2002.

SB 711 (Dunn) State employees on active duty: benefits.

Provides that a state employee who is a member of the California National Guard or a United States Military Reserve organization must receive as part of his or her compensation the difference between the amount of his or her military pay and the amount the person would have received as a state employee, and all benefits he or she would have received had he or she not served on active duty, for a period not to exceed 365 days if he or she is ordered to serve on active duty on and after September 11, 2001, as a result of Operation Enduring Freedom.

Last Action: Chaptered by Secretary of State - Chapter 5, Statutes of 2002.

SB 1267 (Battin) Terrorist threats.

Requires a defendant to pay the costs of response by police, fire and other government entities, or any private entity, to a credible threat, false bomb report, false bomb delivery, placement, or a violation of "any other provision of law by a false threat or hoax."

Last Action: Chaptered by Secretary of State - Chapter 281, Statutes of 2002.

SB 1311 (Kuehl) Commercial mobile radio service: public safety agencies.

Allows public safety agencies to contract for priority cellular phone service in accordance with federal law. This is an outgrowth of September 11 and will allow cellular phone calls by public safety agencies to have first priority.

Last Action: Chaptered by Secretary of State - Chapter 255, Statutes of 2002.

SB 1350 (McPherson) Emergency services: terrorism.

Establishes the Emergency Response Training Advisory Committee, with specified membership, to develop specified training relative to terrorism awareness. Requires the authority and the State Fire Marshal, separately, to establish training standards and develop courses of instruction based on the recommendations of the committee, involving the responsibilities of first responders to terrorism incidents. Requires the Commission on Peace Officer Standards and Training to establish training standards and develop a specified course of instruction on the responsibilities of first responders to terrorism incidents and would require specified local agency and other peace officers to complete the training.

Last Action: Chaptered by Secretary of State - Chapter 612, Statutes of 2002.

SB 1873 (Escutia) Victims of crime: terrorist attacks.

Allows, until January 1, 2004, the Victim Compensation and Government Claim Board to authorize payment to derivative victims of the September 11, 2001, terrorist attacks, equal to the loss of wages to \$10,000 per eligible recipient due to traveling to and from, and attending, memorial services or government-initiated events in honor of the September 11 victims with the amount authorized not to exceed a collective total of \$250,000.

Last Action: Chaptered by Secretary of State - Chapter 449, Statutes of 2002.

SB 2032 (Monteith) Display of the United States flag: common interest developments.

Prohibits any declaration or governing document of a common interest development from limiting or prohibiting the display of an American flag, except as required for the protection of public health or safety.

Last Action: Chaptered by Secretary of State - Chapter 178, Statutes of 2002.

SBX3 2 (Alarcon) Unemployment insurance: benefits compensation.

Increases unemployment benefits, retroactively, to workers who were unemployed on or after September 11, 2001.

Last Action: Chaptered by Secretary of State - Chapter 4, Statutes of 2001-02 Third Extraordinary Session.

CHILDREN

The protection of California's children continued to be a major priority for Assembly Democrats in the 2001-2002 Legislative Session. From expanding health care programs to accommodate more children, to taking the first steps toward real reform of the states' foster care program, the State Assembly took its responsibility for our kids very seriously.

AB 59 (Cedillo) Health programs: eligibility.

Establishes a statewide pilot project, effective July 1, 2002, to expedite Medi-Cal enrollment for children receiving free lunches through the National School Lunch Program. Authorizes immediate Medi-Cal enrollment of children, who are in families with incomes less than 100 percent of the federal poverty level, and requires simplified additional information to determine if children in families over 100 percent of the federal poverty level are eligible for either Medi-Cal or the Healthy Families Program.

Last Action: Chaptered by Secretary of State - Chapter 894, Statutes of 2001.

AB 297 (Kehoe) Before and after school programs.

Establishes the statewide Six-to-Six Before and After School Program, by allowing before- and after-school programs, in schools which do not meet the income priorities of the After School Learning Safe Neighborhoods and Partnership Program, to operate up to 30 hours per week without obtaining a child care license or special permit.

Last Action: Chaptered by Secretary of State - Chapter 453, Statutes of 2001.

AB 636 (Steinberg) Child welfare services.

Enacts the Child Welfare System Improvement and Accountability Act of 2001 to improve outcomes for children in California's child welfare system.

Last Action: Chaptered by Secretary of State - Chapter 678, Statutes of 2001.

AB 899 (Liu) Rights of foster children.

Specifies the rights of children in foster care, and requires social workers and foster care facilities to provide information regarding those rights.

Last Action: Chaptered by Secretary of State - Chapter 683, Statutes of 2001.

AB 947 (Jackson) Pesticides: schoolsites.

Authorizes the comprehensive school safety plan to include, at local discretion of the governing board of the school district, procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school.

Last Action: Chaptered by Secretary of State - Chapter 457, Statutes of 2002.

AB 1025 (Frommer) Lactation accommodation.

Requires employers to provide reasonable unpaid break time and to make reasonable efforts to provide the use of an appropriate room for an employee to express breast milk for the employee's infant child.

Last Action: Chaptered by Secretary of State - Chapter 821, Statutes of 2001.

AB 1830 (Frommer) Tobacco products: sales to minors.

Prohibits the distribution or sale of tobacco products directly or indirectly to any person under the age of 18 years through the U.S. Postal Service or through any other public or private postal or package delivery service at locations, including, but not limited to, public mailboxes and mailbox stores.

Last Action: Chaptered by Secretary of State - Chapter 685, Statutes of 2002.

AB 1867 (Vargas) Smoking: playgrounds.

Expands the prohibited smoking and disposal area within 25 feet of a playground or a tot lot sandbox area and makes a violation of these provisions punishable by a \$250 fine.

Last Action: Chaptered by Secretary of State - Chapter 527, Statutes of 2002.

AB 1956 (Vargas) Video Arcade Facilities: signs and brochures.

Requires a video arcade to post a sign that notifies consumers that a video arcade game rating system, created by the video arcade gaming industry, is available to aid in the selection of a game. Further mandates a video arcade to make brochures available to the public explaining the system.

Last Action: Chaptered by Secretary of State - Chapter 748, Statutes of 2002.

AB 2651 (Chu) Foster youth

Declares legislative intent and state policy regarding the rights of youth in foster care, and expresses legislative intent that the Foster Care Ombudsperson address complaints brought by all foster youth, including those who are gay, lesbian, bisexual, or transgender. Also requires the Department of Social Services to facilitate the expansion of foster parent recruitment targeting persons who are gay, lesbian, bisexual, or transgender to promote the placement of gay, lesbian, bisexual, or transgender foster youth with trained and culturally competent families of the same cultural background.

Last Action: Vetoed.

SB 19 (Escutia) Pupil health.

Establishes nutritional standards for foods sold in elementary and middle schools

Last Action: Chaptered by Secretary of State - Chapter 913, Statutes of 2001.

SB 104 (Scott) Adoption.

Reduces the period during which a birth parent may either revoke consent to the adoption of his or her child, or sign a waiver of the right to revoke consent, from 90 days to 30 days.

Last Action: Chaptered by Secretary of State - Chapter 688, Statutes of 2001.

SB 255 (Speier) Crimes: unattended children in vehicles.

Makes it an infraction to leave a child under the age of six unattended in a motor vehicle, and creates a fund for an educational campaign regarding the dangers of leaving a child in a vehicle.

Last Action: Chaptered by Secretary of State - Chapter 855, Statutes of 2001.

SB 1192 (Figueroa) Sex offender registration.

Bans registered sex offenders who have been convicted of sex offenses against children under the age of 16 from working or volunteering in positions where they would work directly and in an unaccompanied setting with children.

Last Action: Chaptered by Secretary of State - Chapter 224, Statutes of 2001.

SB 1779 (Burton) Damages: childhood sexual abuse: statute of limitations.

Allows civil sexual abuse cases against a third party to be filed after the victim's 26th birthday when the third party knew or had reason to know of unlawful sexual conduct by an employee, volunteer, representative or agent, and failed to take reasonable steps, and implement reasonable safeguards, to avoid similar unlawful conduct by that employee or agent in the future. Also revives actions that were previously barred by the statute of limitations and allows those actions to be filed within one year of the effective date of this bill.

Last Action: Chaptered by the Secretary of State - Chapter 149, Statutes of 2002.

CIVIL RIGHTS

The right to be treated fairly and with dignity. It seems this is a battle that never ends in America, but Assembly Democrats continue to be at the forefront of working to ensure that every citizen, regardless of his or her race, ethnicity, gender, sexual orientation or age is treated equitably and without prejudice.

AB 25 (Migden) Domestic partnerships.

Provides certain rights to domestic partners: gives a domestic partner standing to sue for negligence in a wrongful death case; allows an opposite sex couple to register as domestic partners when one of them is over 62; allows a domestic partner to make health care decisions; requires employers to allow domestic partners to use sick leave to care for an ill domestic partner or their child; revises the statutory will form to include a domestic partner as a beneficiary; and allows adoption by a domestic partner of a child of her or his domestic partner.

Last Action: Chaptered by Secretary of State - Chapter 893, Statutes of 2001.

AB 540 (Firebaugh) Public postsecondary education: exemption from nonresident tuition.

Qualifies long-term California residents, regardless of citizenship status, for lower "resident" fee payments at the California Community Colleges and the California State University.

Last Action: Chaptered by Secretary of State - Chapter 814, Statutes of 2001.

AB 1088 (Jackson) Civil rights: gender discrimination.

Requires business establishments, such as tailors, hair salons, and dry cleaners, to conspicuously display their prices for each standard service to customers. Requires that the businesses provide the customer a complete price list upon request.

Last Action: Chaptered by Secretary of State - Chapter 312, Statutes of 2001.

AB 1193 (Steinberg) Insurers: hate crimes: cancellation or refusal to renew.

Prohibits insurers from canceling or refusing to renew a policy held by a religious or educational organization or other nonprofit solely on the basis that the policyholder has filed one or more claims for damage resulting from a hate crime.

Last Action: Chaptered by Secretary of State - Chapter 253, Statutes of 2001.

AB 1312 (Nakano) The Asian Pacific Islander Anti-Hate Crimes Program.

Establishes in the Department of Justice the Asian Pacific Islander Anti-Hate Crimes Program. Appropriates \$250,000 to implement the bill and sunsets on January 1, 2005.

Last Action: Chaptered by Secretary of State - Chapter 566, Statutes of 2001.

AB 1599 (Negrete-McLeod) Age discrimination in employment.

Broadens a legal prohibition on employment discrimination based upon age by making all discrimination based upon age of individuals 40 and over in employment unlawful, except where provided by law.

Last Action: Chaptered by Secretary of State - Chapter 525, Statutes of 2002.

AB 1926 (Horton) Discrimination: housing.

Provides that any property owner of a property subject to an unlawfully restrictive covenant based on race, color, religion, sex, familial status, marital status, disability, national origin, or ancestry may submit for recordation a document striking out the unlawfully restrictive covenant. Provides that a county recorder may record the document, if all other requirements of recordation are met, or may direct the person to obtain a determination from the Department of Fair Employment & Housing.

Last Action: Chaptered by Secretary of State - Chapter 803, Statutes of 2002.

AB 1928 (Jackson) Civil Actions: gender related violence.

Creates a statutory civil action for injuries resulting from acts of gender-related violence and includes a legislative finding that acts of domestic violence and sexual abuse based at least in part on the victim's gender constitute a form of sexual discrimination.

Last Action: Chaptered by Secretary of State - Chapter 842, Statutes of 2002.

AB 2216 (Keeley) Intestate succession: domestic partners.

Expands the legal rights of a registered domestic partner, effective July 2003, to include the right to inherit property without a will if one partner dies. Requires the Secretary of State to inform registered domestic partners and domestic partner applicants of this change by March 2003.

Last Action: Chaptered by Secretary of State - Chapter 447, Statutes of 2002.

AB 2653 (Chu) Criminal procedure.

Provides that the court may find "good cause" to continue a hate crimes trial or hearing for up to ten court days, when the prosecutor has another trial, preliminary hearing, or motion to suppress in progress.

Last Action: Chaptered by Secretary of State - Chapter 788, Statutes of 2002.

ACR 128 (Horton) Dr. Martin Luther King, Jr. Day.

Observes Monday, January 21, 2002, as the official memorial of Dr. Martin Luther King, Jr.'s birth and his work in the Civil Rights Movement.

Last Action: Chaptered by Secretary of State - Res. Chapter 1, Statutes of 2002.

SB 780 (Ortiz) Protection of the exercise of constitutional rights.

Creates the California Freedom of Access to Clinic and Church Entrances Act. This bill provides criminal and civil penalties for injuring, intimidating, or interfering with, a reproductive health services client or provider or a person entering a place of worship, and for damaging the property of a reproductive health services provider or a place of worship.

Last Action: Chaptered by Secretary of State - Chapter 899, Statutes of 2001.

SB 1301 (Kuehl) Reproductive privacy act.

Provides that (1) every individual possesses a fundamental right to privacy with respect to reproductive decisions; (2) the state shall not deny or interfere with a woman's right to choose an abortion prior to viability of the fetus; (3) revises the language describing who is authorized to perform the functions necessary to perform or assist in surgical and nonsurgical abortions; and (4) specifies that "nonsurgical abortion" includes termination of pregnancy through the use of pharmacological agents.

Last Action: Chaptered by Secretary of State - Chapter 385, Statutes of 2002.

SB 1945 (Kuehl) Discrimination: hate crime.

Redefines the time for filing a complaint with the State Department of Fair Employment and Housing for an alleged violation of California's hate crimes prohibition (the Ralph Civil Rights Act), for a period of one more year from the date the aggrieved person became aware of the identity of a person liable for an alleged violation and in no case more than three years.

Last Action: Chaptered by Secretary of State - Chapter 490, Statutes of 2002.

CONSUMERS

Protecting California consumers from those that seek to defraud, dupe or otherwise take advantage, remained a high priority for Assembly Democrats this legislative session. Whether addressing the increasing problem of identity theft, predatory lenders or obnoxious telemarketers, Assembly Democrats stepped up to the plate to provide new protections and to strengthen existing ones for all Californians.

AB 269 (Correa) Professional and vocational licensing boards, and bureaus.

States that the highest priority for licensing boards, commissions, and bureaus overseen by the Department of Consumer Affairs, in performing their licensing, regulatory, and disciplinary functions, is the protection of the public.

Last Action: Chaptered by Secretary of State - Chapter 107, Statutes of 2002.

AB 426 (Cardoza) Taxation.

Provides sales and use tax exemptions for farm equipment and machinery purchases; racehorse breeding stock; diesel fuel used in specified farming, food processing and timber harvesting activities; and propane used in qualified residences and for specific agricultural activities. Increases the benefits paid under the Senior Homeowners' and Renters' Assistance Program.

Last Action: Chaptered by Secretary of State - Chapter 156, Statutes of 2001.

AB 488 (Kehoe) Consumer credit reporting agencies: information disclosure.

Requires consumer credit bureaus to place in a consumer's credit file and credit report the addresses and telephone numbers identified for customer service for the sources and recipients of credit information relating to the consumer.

Last Action: Chaptered by Secretary of State - Chapter 236, Statutes of 2001.

AB 489 (Migden) Predatory lending.

Provides borrowers with important protections against deceptive and destructive lending practices that are not currently available in state or federal law, including failing to consider the financial ability of a borrower to repay the loan, selling credit insurance without full disclosure and recommending or encouraging a consumer to default on an existing consumer loan in order to solicit another loan.

Last Action: Chaptered by Secretary of State - Chapter 732, Statutes of 2001.

AB 521 (Koretz) Credit cards: student credit cards: credit card marketing practices.

Requires the California State University and the California Community Colleges, and requests the Regents of the University of California and private universities and colleges in the state, to adopt policies to regulate the marketing practices of credit card vendors on their campuses.

Last Action: Chaptered by Secretary of State - Chapter 294, Statutes of 2001.

AB 655 (Wright) Personal identifying information: identity theft.

Permits consumers to have their names removed from any list provided by a credit bureau to another entity for credit offers not solicited by the consumer. Expands the rights and protections afforded to consumers who are the subject of investigations by investigative consumer reporting agencies.

Last Action: Chaptered by Secretary of State - Chapter 354, Statutes of 2001.

AB 865 (Hertzberg) Credit cards.

Requires credit card companies to provide information in a cardholder's billing statement regarding the time and cost associated with paying off a balance using minimum payments.

Last Action: Chaptered by Secretary of State - Chapter 711, Statutes of 2001.

AB 870 (Wesson) Public utilities: automatic calling equipment.

Prohibits any person or company operating an automatic dialing-announcing device from making telephone connections where no live person is available to greet the person called.

Last Action: Chaptered by Secretary of State - Chapter 696, Statutes of 2001.

AB 1753 (Migden) Magazine distributors.

Requires magazine mailing labels to disclose the subscription expiration date, and requires magazine distributors to put the magazine subscription expiration date on magazine renewal notices or direct subscribers to refer to the magazine mailing label.

Last Action: Chaptered by Secretary of State - Chapter 191, Statutes of 2002.

AB 1814 (Reyes) Internet service providers: notice of service termination.

Requires Internet service providers (ISP) to notify customers 30 days in advance of proposed transfer of service to another ISP or of proposed termination of service.

Last Action: Vetoed.

AB 2020 (Correa) Optometry.

Requires a prescriber or registered dispensing optician to provide a patient with a copy of his or her contact lens prescription. Specifies the requirements of an expiration date on a prescription. Requires that sellers other than the prescriber must attempt to verify the prescription with the prescriber. Requires a nonresident contact lens seller to provide a toll-free telephone number, facsimile line, or E-mail address where contact lens prescribers may confirm their prescriptions.

Last Action: Chaptered by Secretary of State - Chapter 814, Statutes of 2002.

AB 2244 (Wayne) Prepaid calling cards and services.

Expands the disclosure of prepaid calling card fees or charges, adds restrictions on how fees or charges are imposed and how a prepaid calling card company operates its required customer service telephone number, and requires that mandated disclosures be made in any language that is used on the prepaid card, its packaging, advertising or promotion.

Last Action: Chaptered by Secretary of State - Chapter 778, Statutes of 2002.

AB 2473 (Simitian) Gift certificates

Requires the issuer of a gift certificate who is in bankruptcy to continue to honor a gift certificate issued prior to the date of the bankruptcy filing. Specifies that it does not alter the terms of a gift certificate or require an issuer to perform specified acts.

Last Action: Chaptered by Secretary of State - Chapter 997, Statutes of 2002.

AB 2944 (Kehoe) Advertising: facsimile machines.

Deletes the existing state law prohibiting the faxing of unsolicited advertising material so that the more stringent federal law can take precedence. Existing state law allows unsolicited faxed documents as long as there is a toll-free telephone number that the recipient may call or other means for them to contact the sender. The current federal law, the Telephone Consumer Protection Act of 1991, prohibits the transmission of unsolicited advertisements by telephone facsimile machines and provides various remedies.

Last Action: Chaptered by Secretary of State - Chapter 700, Statutes of 2002.

SB 125 (Alpert) Identity theft.

Allows an identity theft victim to obtain information about unauthorized requests for credit that have been made in his or her name.

Last Action: Chaptered by Secretary of State - Chapter 493, Statutes of 2001.

SB 168 (Bowen) Personal information: confidentiality: identity theft.

Seeks to prevent identity theft by permitting consumers to place security alerts and security freezes on their credit reports and restricting the use of Social Security numbers as identifiers.

Last Action: Chaptered by Secretary of State - Chapter 720, Statutes of 2001.

SB 394 (Sher) Internet Tax Freedom Act: continuation.

Makes the extension of the expiration date of the California Internet Tax Freedom Act (CITFA) contingent upon the submission of a report by the California Commission on Tax Policy in the New Economy to the Governor and Legislature prior to December 1, 2002. CITFA would remain in effect until January 1, 2004, unless the Commission fails to submit the report, in which case the CITFA is repealed on January 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 343, Statutes of 2001.

SB 481 (Speier) Vehicles: dealers: licenses.

Clarifies that dealers are prohibited from selling a motor vehicle for more than its advertised price. Requires the dealership to post a list of all motor vehicles currently advertised for sale, and allows a dealer to exclude, from the advertised price, the amount of the California tire fee.

Last Action: Chaptered by Secretary of State - Chapter 441, Statutes of 2001.

SB 500 (Torlakson) Retail merchandise, utilities, and cable television: delivery, service, and repair: times.

Requires specified retail, cable television and utility companies to actively provide consumers with a mutually agreeable four-hour time window for service, and outlines procedures for appropriate notification if the service appointment is delayed.

Last Action: Chaptered by Secretary of State - Chapter 279, Statutes of 2002.

SB 658 (Escutia) Insurance.

Requires an insurer to provide certain insureds with information relating to unfair methods of competition and deceptive acts or practices in the business of insurance in its initial response to a claim.

Last Action: Chaptered by Secretary of State - Chapter 583, Statutes of 2001.

SB 771 (Figueroa) Unsolicited and unwanted telephone solicitations.

Requires the Attorney General to maintain a state "do not call" list for residential and wireless telephone subscribers who do not want to receive unsolicited telephone solicitations, and prohibits telephone solicitors from calling phone numbers on this list.

Last Action: Chaptered by Secretary of State - Chapter 695, Statutes of 2001.

SB 772 (Bowen) Electronic mail: service providers.

Requires electronic mail service providers to give customers at least 30 days notice prior to permanently terminating the customer's e-mail address. Prohibits a contract from permitting termination of service without cause with less than a 30-day notice.

Last Action: Chaptered by Secretary of State - Chapter 783, Statutes of 2002.

SB 1239 (Figueroa) Consumer credit reporting agencies.

Requires a consumer credit reporting agency to provide a statement describing the statutory rights of victims of identity theft and to provide one free copy each month, for up to 12 consecutive months, of a consumer's file upon the request of a consumer who is a victim of identity theft. Excepts certain credit reporting agencies that act only as resellers of credit information collected from other credit reporting agencies.

Last Action: Chaptered by Secretary of State - Chapter 860, Statutes of 2002.

SB 1730 (Bowen) Personal information.

Provides that existing provisions of law relating to security freezes do not apply to the use of a consumer report by any person or entity administering a credit file monitoring subscription service to which the consumer has subscribed. Permits social security numbers to be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process, or to establish, amend or terminate an account, contract or policy, or to confirm the accuracy of the social security number.

Last Action: Chaptered by Secretary of State - Chapter 786, Statutes of 2002.

SB 1950 (Figueroa) Healing Arts.

Enhances the consumer protection role of the Medical Board of California (MBC) by requiring the public disclosure of physician malpractice settlements involving more than \$30,000, by adding two public members to the MBC, by requiring an independent enforcement monitor to be appointed to evaluate MBC's enforcement system, and by establishing a priority system for the investigation of complaints against physicians.

Last Action: Chaptered by Secretary of State - Chapter 1085, Statutes of 2002.

CORPORATE RESPONSIBILITY

The public's outrage over corporate greed was heard loud and clear in the State Capitol this year. Stories of scofflaw CEOs, corporate officers and boards of directors driving corporations into bankruptcy and falsifying financial reports -- while reaping millions in personal gains, have permeated news accounts in 2002. In response, the Assembly approved several tough new measures to close loopholes and increase the penalties for those that engage in these irresponsible and unethical acts. In addition, Assembly Democrats have been at the forefront of sponsoring and approving tough new accounting standards for entities doing business in California and tightening the conflict of interest rules for those doing business with the State of California.

AB 55 (Shelley) Corporations: disclosure statements.

Requires a domestic corporation and a foreign corporation to file statements annually with the Secretary of State disclosing specified information concerning its operation. Makes the information contained in the statements open to public inspection and would require the Secretary of State, prior to December 31, 2004, to make this information available on an online database.

Last Action: Chaptered by Secretary of State - Chapter 1015, Statutes of 2002.

AB 270 (Correa) Professions: accountancy.

Changes the membership of the California Board of Accountancy so that a majority of the membership will be consumers and public members instead of certified public accountants representing the accounting profession, thereby making California the first state in the nation with a public member majority on an Accountancy Board.

Last Action: Chaptered by Secretary of State - Chapter 231, Statutes of 2002.

AB 2873 (Frommer) Accounting.

Enacts legislation to provide consumer protection and audit integrity in the field of accountancy. Makes the willful destruction of a client's records by a licensed accountant grounds for disciplinary action by the California Board of Accountancy. Requires the retention of audit documentation for seven years and specifies what the documentation shall contain.

Last Action: Chaptered by Secretary of State - Chapter 230, Statutes of 2002.

AB 2970 (Wayne) Accounting: audits.

Prohibits an accountant from accepting employment from an audit client or its affiliate within 12 months of issuance of a financial statement when the employment permits the accountant to exercise authority over accounting or financial reporting.

Last Action: Chaptered by Secretary of State - Chapter 232, Statutes of 2002.

SB 783 (Escutia) Whistleblowers.

Requires corporate officers, and directors and managers of limited liability companies to report to the Attorney General (AG), or the appropriate agency, that the company is producing materially false statements or reports as to the soundness and value of the company. Establishes civil penalties for failure to comply with the reporting requirement. Further provides additional "whistleblower" protections for refusal to perform unlawful conduct and for an employee's act on a previous job. Requires the AG to maintain a whistleblower hotline for corporate crime and regulatory misconduct and to refer calls to the appropriate investigative or regulatory agency.

Last Action: Vetoed.

EDUCATION

The major reforms in education of the preceding years were continued and refined in an effort to improve the educational opportunities for all students. Even with the budget constraints faced by the state, education funding was protected and it remains the highest priority of Assembly Democrats.

AB 16 (Hertzberg) Education facilities: Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004.

Enacts and places the \$13 billion Kindergarten-University Public Education Facilities Bond Act of 2002 on the November 2002 ballot. It also enacts and places the \$12.2 billion Kindergarten-University Public Education Facilities Bond Act of 2004 on the 2004 Primary ballot. The bill contains a provision that if the second measure is not approved by the voters at the 2004 Primary Election, the bond act will appear on the November 2004 ballot.

Last Action: Chaptered by Secretary of State - Chapter 33, Statutes of 2002.

AB 75 (Steinberg) Principal Training Program.

Establishes the Principal Training Program to provide incentive funding for schoolsite administrator instruction and training.

Last Action: Chaptered by Secretary of State - Chapter 697, Statutes of 2001.

AB 466 (Strom-Martin) Mathematics and Reading Professional Development Program.

Establishes the Mathematics and Reading Professional Development Program to provide school districts, county offices of education and charter schools with incentive funding for mathematics and reading staff development for teachers and instructional aides.

Last Action: Chaptered by Secretary of State - Chapter 737, Statutes of 2001.

AB 935 (Hertzberg) Public Interest Attorney Loan Repayment Program.

Establishes the Public Interest Attorney Loan Repayment Program to repay educational loans for participating licensed California attorneys who practice or agree to practice public interest law in this state.

Last Action: Chaptered by Secretary of State - Chapter 881, Statutes of 2001.

AB 961 (Steinberg) Low-performing schools.

Creates the High Priority School Grant Program for Low Performing Schools which provides \$200 million for schools scoring in the lowest two deciles on the Academic Performance Index.

Last Action: Chaptered by Secretary of State - Chapter 749, Statutes of 2001.

AB 1611 (Keeley) Higher education housing: California Educational Facilities Authority.

Authorizes the California Educational Facilities Authority to enter into agreements with nonprofit entities to finance the cost of constructing student, faculty, and staff housing near the campuses of the University of California, the Hastings College of Law, the California State University, the California Community Colleges, and participating private colleges.

Last Action: Chaptered by Secretary of State - Chapter 569, Statutes of 2001.

AB 1781 (Hertzberg) Instructional materials: funding.

Establishes the Instructional Materials Funding Realignment Program which would appropriate funds to school districts for instructional materials on the basis of an equal amount per student enrolled in K-12 in the prior year. The bill authorizes school districts to use funding from the Instructional Materials Fund to purchase supplemental materials and classroom library materials.

Last Action: Chaptered by Secretary of State - Chapter 802, Statutes of 2002.

AB 2540 (Steinberg) Superintendent training program.

Establishes the Superintendent Training Program to provide incentive funding to local education agencies to train county and school district superintendents.

Last Action: Vetoed.

AJR 47 (Jackson) Commending Title IX of the Education Amendments of 1972.

Memorializes the President and Congress of the United States to uphold the intent and substance of the current provisions of Title IX of the Education Amendments of 1972, to pursue a stronger enforcement policy for Title IX, to support the continuation of the strong compliance standards that are in place for Title IX, and to encourage all Americans to participate in the national celebration, "Celebrating 30 Years of Title IX".

Last Action: Chaptered by Secretary of State - Res. Chapter 117, Statutes of 2002.

SB 19 (Escutia) Pupil health.

Establishes nutritional standards for foods sold in elementary and middle schools.

Last Action: Chaptered by Secretary of State - Chapter 913, Statutes of 2001.

SB 57 (Scott) Teacher credentialing.

Requires the Commission on Teacher Credentialing to waive specified requirements for teachers with a minimum of six years of experience at a private school, and implements a process whereby participants in teaching internship programs may receive their preliminary teaching credentials on an expedited basis.

Last Action: Chaptered by Secretary of State - Chapter 269, Statutes of 2001.

SB 388 (Alpert) School districts: sale or lease of surplus property.

Authorizes school districts to sell or lease Internet appliances or personal computers at a standard price to parents of pupils in the district, for the purpose of providing access to the school district's educational computer network.

Last Action: Chaptered by Secretary of State - Chapter 896, Statutes of 2001.

SB 735 (Committee on Budget and Fiscal Review) Education.

Appropriates \$112,859,000 to California Community Colleges, funds that were eliminated by the Governor from an earlier Budget trailer bill, to be used for repair projects, library and instructional materials. Appropriates \$40 million from the Proposition 98 reversion account for revenue limit equalization. Also contains provisions necessary to implement the education provisions of the Budget.

Last Action: Chaptered by Secretary of State - Chapter 891, Statutes of 2001.

SB 740 (O'Connell) Charter schools.

Requires charter schools to request a determination of funding from the State Board of Education in order to receive funding for nonclassroom-based instruction. Creates the Charter School Facility Grant Program to provide assistance with facilities rent and lease costs for charter schools located in low-income areas. Requires the amount of funding to be allocated to a charter school on the basis of average daily attendance that is generated by pupils engaged in nonclassroom-based instruction.

Last Action: Chaptered by Secretary of State - Chapter 892, Statutes of 2001.

SB 1656 (Scott) Teacher credentialing: registered sex offenders.

Requires the Commission on Teacher Credentialing to deny the application of any applicant, or revoke the credential of any teacher, who is required to register as a sex offender under any other state or federal law.

Last Action: Chaptered by Secretary of State - Chapter 471, Statutes of 2002.

SB 1671 (Escutia) Supplemental Instruction.

Continues the current authorization for supplemental instruction ("summer school") to pupils at risk of retention in grades 2 through 6 without imposing a cap on state reimbursement for such instruction that is otherwise scheduled to take effect January 1, 2003.

Last Action: Vetoed.

THE ENERGY CRISIS

No legislator came to the Capitol with the idea that he or she would become immersed in a crisis without precedent in modern California history, one whose impact was felt by every person, every government agency and every business in the state. Assembly Democrats stepped to the forefront of the battle and enacted measures that kept the lights on, created the public power authority and enacted the largest conservation package in the history of the United States.

ABX1 1 (Keeley) Power exchanges: Department of Water Resources: electric power.

Authorizes the State Department of Water Resources (DWR) to enter into long-term power purchase contracts and to sell the power, directly or indirectly, to electric consumers in California.

Last Action: Chaptered by Secretary of State - Chapter 4, Statutes of 2001-02 First Extraordinary Session.

ABX1 29 (Kehoe) Energy.

Appropriates or reappropriates \$204.5 million from specified funds for a variety of new programs relating to energy conservation, efficiency, and distributed energy.

Last Action: Chaptered by Secretary of State - Chapter 8, Statutes of 2001-02 First Extraordinary Session.

SBX1 5 (Sher) State energy projects.

Provides a total of \$710.3 million to implement energy efficiency programs, including funds for:

- Weatherization programs for low-income customers;
- Incentives to encourage the purchase of high efficiency appliances, whole-house fans and construction of high-efficiency homes;
- Incentives to encourage the use of high-efficiency lighting in commercial and residential buildings;
- Expansion of the existing California Alternate Rates for Energy program that provides a discount on gas and electric bills for low-income customers, allowing up to 20% of the funds to be used for outreach to increase enrollment.

Last Action: Chaptered by Secretary of State - Chapter 7, Statutes of 2001, First Extraordinary Session.

SBX1 6 (Burton) California Consumer Power and Conservation Financing Authority.

Creates a public power authority, which is authorized to issue up to \$5 billion in revenue bonds to finance electricity generation projects, natural gas transmission and storage projects, and energy efficiency programs.

Last Action: Chaptered by Secretary of State - Chapter 10, Statutes of 2001-02 First Extraordinary Session.

SBX2 75 (Ortiz) Income taxes: deduction: interest.

Allows a tax deduction for interest paid on a loan financed through a public utility company to purchase energy efficient equipment and products for California residences.

Last Action: Chaptered by Secretary of State - Chapter 5, Statutes of 2001-02 Second Extraordinary Session.

SBX2 82 (Murray) Solar energy systems.

Requires the Department of General Services, in consultation with the California Energy Commission, to ensure that solar energy equipment is installed, where feasible, on all state buildings no later than January 1, 2007.

Last Action: Chaptered by Secretary of State - Chapter 10, Statutes of 2001-02 Second Extraordinary Session.

THE ENVIRONMENT

Highlighted by the largest park bond measure in California history and first in the nation, landmark legislation to regulate greenhouse gas emissions from vehicles; the 2001-2002 legislative session was one of the most productive in recent memory. In terms of protecting our state's precious environmental resources, despite severe budget shortfalls, the Assembly did not shirk its duty with respect to the greatest impending threats to the state's environment.

AB 62 (Migden) Sudden oak death.

Allocates \$3.5 million to the budget of the Department of Forestry and Fire Protection and requires the department to develop and implement measures to prevent, control, and eradicate Sudden Oak Death and to perform control work on state and private lands where Sudden Oak Death is occurring.

Last Action: Chaptered by Secretary of State - Chapter 513, Statutes of 2001.

AB 252 (Pavley) Endangered species.

Provides temporary protection for species that were thought to be extinct and, therefore, were never listed as threatened or endangered. The protections from take remain in effect only until the Fish and Game Commission considers whether or not granting a candidate species status is warranted, which must be within 75 days.

Last Action: Vetoed.

AB 599 (Liu) Groundwater contamination: quality monitoring program.

Creates the Groundwater Quality Monitoring Act of 2001 which requires the State Water Resources Control Board to consult with other responsible agencies to establish a comprehensive groundwater monitoring program that assesses each of the state's 390 groundwater basins and integrates existing groundwater monitoring programs.

Last Action: Chaptered by Secretary of State - Chapter 522, Statutes of 2001.

AB 910 (Wayne) Wildlife conservation easements.

Prohibits a governmental entity from condemning any wildlife conservation easement acquired by a state agency unless the entity complies with specified procedures, to help protect wildlife conservation easements throughout the state.

Last Action: Chaptered by Secretary of State - Chapter 863, Statutes of 2001.

AB 1493 (Pavley) Vehicular emissions: greenhouse gases.

Requires the State Air Resources Board (SARB) to develop and adopt, by January 1, 2005, regulations that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from passenger, light-duty, and other non-commercial vehicles. Prohibits the SARB's regulations from imposing mandatory taxes or fees, banning the sale of any vehicle category, including sport utility vehicles and light duty trucks, imposing vehicle weight reductions or imposing trip reduction measures or land use restrictions.

Last Action: Chaptered by Secretary of State - Chapter 200, Statutes of 2002.

AB 1553 (Keeley) Environmental justice: guidelines.

Requires the Office of Planning and Research, no later than July 1, 2003, to include guidelines for addressing environmental justice matters in city and county general plans and to hold at least one public hearing prior to the release of any draft guidelines, and at least one public hearing after the release of the draft guidelines.

Last Action: Chaptered by Secretary of State - Chapter 762, Statutes of 2001.

AB 1602 (Keeley) California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

Places on the ballot a \$2.6 billion park bond act to protect California's coast, improve water quality, provide safe places for children to play, and help meet the park and open space needs of California's fast growing population. California is projected to add the population of five cities the size of Los Angeles over the next four decades. The measure provides:

- \$832.5 million for local park projects
- \$225 million for state park projects
- \$200 million for coastal protection
- \$300 million for clean beaches, watershed protection and water quality
- \$300 million for wildlife habitat protection
- \$75 million to protect agricultural lands
- \$75 million for river parkways

- \$245 million to protect other sensitive lands
- \$267.5 million to protect historical and cultural resources
- \$50 million to improve air quality
- \$20 million for conservation corps programs that put young adults to work repairing parks and for resource conservation projects
- \$10 million for tree planting projects.

Last Action: Chaptered by Secretary of State - Chapter 875, Statutes of 2001.

AB 2214 (Keeley) Low-level radioactive waste disposal facility.

Prohibits the Department of Health Services (DHS) from issuing or renewing a license for the disposal of low-level radioactive waste (LLRW) unless (1) DHS determines that the siting design, and operation of the facility complies with specified federal regulations; and (2) the design and construction of the facility meets specified requirements. The bill requires DHS to establish a fee for the issuance or renewal of a license to dispose of LLRW. It would also prohibit a facility from disposing of LLRW using shallow land burial and prohibits the proposed Ward Valley radioactive waste disposal site from serving as the state's facility for purposes of the Southwestern LLRW Disposal Compact.

Last Action: Chaptered by Secretary of State - Chapter 513, Statutes of 2002.

AB 2486 (Keeley) Environmental prosecution.

Establishes the Local Environmental Enforcement and Training Act of 2002. Creates a long-term local assistance program supporting environmental law training for district attorneys, peace officers and environmental enforcement agencies by creating the Environmental Circuit Prosecutor Program.

Last Action: Chaptered by Secretary of State - Chapter 1000, Statutes of 2002.

SB 32 (Escutia) Contaminated property: restoration.

Empowers local governments to compel the investigation and cleanup of certain brownfields sites and establishes a pilot project for assessing the usefulness and impact of informational screening numbers.

Last Action: Chaptered by Secretary of State - Chapter 764, Statutes of 2001.

SB 221 (Kuehl) Land use: water supplies.

Requires that subdivisions of more than 500 residential units provide written verification that an adequate water supply is or will be available.

Last Action: Chaptered by Secretary of State - Chapter 642, Statutes of 2001.

SB 463 (Perata) Drinking water standards: arsenic.

Requires the development of new standards for arsenic in drinking water and requires the Office of Environmental Health Hazard Assessment to develop a public health goal for arsenic in drinking water by June 30, 2004.

Last Action: Chaptered by Secretary of State - Chapter 604, Statutes of 2001.

SB 482 (Kuehl) Endangered species.

Makes legislative findings concerning the Salton Sea and a Quantification Settlement Agreement (QSA). Requires the Resources Agency and the Technology, Trade and Commerce Agency, in consultation with specified entities and individuals, to review and report to the Governor and the Legislature, on or before June 30, 2003, on certain matters pertaining to the implementation of the QSA. Authorizes the Department of Fish and Game, contingent upon the execution of the QSA among other things, to authorize the take of species resulting from specified environmental impacts attributable to the implementation of the agreement.

Last Action: Chaptered by Secretary of State - Chapter 617, Statutes of 2002.

SB 497 (Sher) Land use.

Revises provisions of the Subdivision Map Act pertaining to lot line adjustments and certificates of compliance, and repeals provisions of the Map Act concerning dedication of land for bicycle paths and transit facilities. Limits the number of parcels that may be exempted from the Map Act to four or fewer, and requires that they be "adjoining," that is to say, physically contiguous. Allows local governments to review and approve or deny lot line adjustments for exempt parcels based on conformity with the local general plan and any applicable coastal plan.

Last Action: Chaptered by Secretary of State - Chapter 873, Statutes of 2001.

SB 633 (Sher) Hazardous and solid waste: mercury.

Establishes the California Mercury Reduction Act of 2001 that bans the manufacture, sale or supply of mercury fever thermometers, novelty items and other products containing mercury.

Last Action: Chaptered by Secretary of State - Chapter 656, Statutes of 2001.

SB 1170 (Sher) State vehicle fleet.

Establishes a structure to minimize the use of petroleum-based fuels and other transportation fuels by state agencies to encourage the purchase of ultra-low emission vehicles and zero emission vehicles and fuel-efficient replacement tires for the state fleet.

Last Action: Chaptered by Secretary of State - Chapter 912, Statutes of 2001.

HEALTH

We live in an exciting age when it comes to health care. Scientific breakthroughs, it seems, are announced almost daily and, as they are announced, moral issues arise that must be confronted by policymakers. Indeed, those same issues emerge when trying to safeguard people from guns and other preventable dangers. Whether it is ensuring every Californian proper health care or in trying to make the latest life-saving technologies and procedures widely available, Assembly Democrats enacted a number of measures to protect and enhance the health and safety of every citizen.

AB 487 (Aroner) Medical professionals: conduct.

Requires physicians to complete mandatory continuing education on pain management and the treatment of terminally ill and dying patients.

Last Action: Chaptered by Secretary of State - Chapter 518, Statutes of 2001.

AB 652 (Horton) University of California: Health Professions Education and Outreach.

Requests the Regents of the University of California to report to the Legislature concerning UC's efforts to recruit students to its medical, dental and optometric schools from underserved areas, and requests the University of California to use existing resources to establish outreach and exposure programs.

Last Action: Chaptered by Secretary of State - Chapter 459, Statutes of 2001.

AB 828 (Cohn) Long-term care facilities.

Establishes a centralized consumer response unit in the Department of Health Services to expedite consumer inquiries and complaints about long-term care facilities.

Last Action: Chaptered by Secretary of State - Chapter 680, Statutes of 2001.

AB 982 (Firebaugh) Health care.

Enacts the California Medical and Dental Student Loan Repayment Program of 2002, which would provide conditional warrants for repayment of loans to medical and dental students who agree to practice in underserved areas. If a student qualifies and goes on to become a licensed provider practicing in an underserved area, he or she would be reimbursed for his or her student loans. The bill also transfers, beginning July 1, 2003, \$3.45 million from the Contingent Fund of the Medical Board of California, to be appropriated over a three-year period to the newly created Medically Underserved Account to fund the loan repayment program.

Last Action: Chaptered by Secretary of State - Chapter 1131, Statutes of 2002.

AB 1075 (Shelley) Skilled nursing facilities: staffing ratios.

Requires the State Department of Health Services to convert existing staffing levels required at skilled nursing facilities from hours-of-care to staff-to-patient ratios by August 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 684, Statutes of 2001.

AB 1422 (Thomson) Mental health advocacy.

Establishes, until January 1, 2008, the 13-member California Mental Health Advocacy Commission to promote improved access to mental health services and combat stigma and discrimination against people with mental illness. Establishes human resource development programs for professionals and other service providers in mental health. The bill would be funded entirely through private resources.

Last Action: Vetoed.

AB 1643 (Negrete McLeod) Long-term care facilities: temporary staff.

Requires employment agencies to screen temporary employees before referring them to long-term health care facilities.

Last Action: Chaptered by Secretary of State - Chapter 326, Statutes of 2001.

AB 1860 (Migden) Sexual assault victim: pregnancy counseling: emergency contraception.

Requires that, where indicated by the history of contact, a female victim of sexual assault be provided the option of postcoital contraception by a physician or other health care provider. Requires that postcoital contraception be dispensed by a physician or other health care provider upon the request of the victim.

Last Action: Chaptered by Secretary of State - Chapter 382, Statutes of 2002.

SB 108 (Speier) Organ and tissue donor registry.

Enacts the Organ and Tissue Donor Registry Act of 2001. Requires the DMV to provide information and a standardized form to be completed by driver's license and identification card applicants who desire to be organ donors.

Last Action: Chaptered by Secretary of State - Chapter 740, Statutes of 2001.

SB 639 (Ortiz) Alzheimer's disease and related disorders: demonstration projects.

Requires the Health and Human Services Agency to develop a strategic plan for improving access to mental health services for persons with Alzheimer's disease or related disorders. Appropriates \$85,000 from the General Fund, without regard to fiscal year, for purposes of the bill.

Last Action: Chaptered by Secretary of State - Chapter 692, Statutes of 2001.

SB 732 (Ortiz) Toxic mold.

Enacts the Toxic Mold Protection Act, intended to protect the public from adverse health effects related to the presence of molds in residential and commercial properties.

Last Action: Chaptered by Secretary of State - Chapter 584, Statutes of 2001.

SB 1080 (Bowen) Medical care providers: gynecological cancers.

Requires a physician to provide a patient with a standardized summary on gynecological cancers during the annual gynecological examination and specifies that a violation of this requirement is subject to a citation and fine upon the second or subsequent complaint.

Last Action: Chaptered by Secretary of State - Chapter 730, Statutes of 2001.

SB 1169 (Alpert) Pharmacy.

Authorizes a pharmacist, who has received specified training, to initiate emergency contraception drug therapy, i.e., "morning after pill," in accordance with standardized protocols developed by the pharmacist and an authorized prescriber acting within his or her scope of practice. However, the pharmacist is required to provide the recipient with a standardized fact sheet that includes, but is not limited to, the indications for use of the drug, the appropriate method for using the drug, the need for medical follow-up, and other appropriate information. The fact sheet must be developed by the Board of Pharmacy, in consultation with the Department of Health Services, the American College of Obstetricians and Gynecologists, the California Pharmacists Association, and other health care organizations.

Last Action: Chaptered by Secretary of State - Chapter 900, Statutes of 2001.

SB 1411 (Speier) Health care coverage: maternity services.

Enacts the Maternity Parity Act, which requires maternity coverage to be comparable to coverage for other covered medical conditions for individuals purchasing individual health insurance coverage from health maintenance organizations (HMO's). Prohibits HMO's from imposing co-payments and deductibles for inpatient and ambulatory care maternity services that exceed the most common amount charged for inpatient services provided for other covered medical conditions for individuals purchasing HMO coverage.

Last Action: Chaptered by Secretary of State - Chapter 880, Statutes of 2002.

PUBLIC SAFETY

The crime rate may be at one of its lowest points in recent years, and Assembly Democrats believe that one of the ways to keep it low is to remain vigilant. The State Assembly took new steps to provide protections to potential victims of crime and to increase penalties for those who perpetrate them.

AB 35 (Shelley) Firearms: handgun safety certificate.

Requires those acquiring a handgun to demonstrate their knowledge of California gun law and their ability to safely handle handguns. Expands the existing Basic Firearm Safety Certificate program to reduce the number of accidental deaths and injuries. Requires local law enforcement to verify the purchaser's California ID and residency.

Last Action: Chaptered by Secretary of State - Chapter 940, Statutes of 2001.

AB 469 (Cohn) Domestic violence.

Requires that written domestic violence reports include a notation of whether the responding officer inquired of the victim and/or the alleged abuser whether a firearm or other deadly weapon was present at the location, and requires the officer to confiscate the firearm or deadly weapon.

Last Action: Chaptered by Secretary of State - Chapter 483, Statutes of 2001.

AB 603 (Dutra) Home furnishings.

Requires all box springs manufactured for sale or offered for sale in California to be flame retardant and requires that fire retardant mattresses and box springs meet a resistance to open flame based on a test method developed by the bureau or based on the American Society of Testing and Materials.

Last Action: Chaptered by Secretary of State - Chapter 199, Statutes of 2001.

AB 669 (Hertzberg) State nonemergency telephone number system.

Allows each county, city, and joint powers authority which operates a public safety answering point to establish a 311 non-emergency system. A non-emergency system is defined as one that provides access to public safety agencies and to other services provided by a jurisdiction such as street maintenance and animal control.

Last Action: Chaptered by Secretary of State - Chapter 731, Statutes of 2002.

AB 673 (Migden) Forensic identification.

Increases the number of crimes included in the DNA data bank to include first degree robbery, first degree burglary, felony arson and carjacking.

Last Action: Chaptered by Secretary of State - Chapter 906, Statutes of 2001.

AB 770 (Nakano) Cellular telephones: vehicles: study.

Requires the California Highway Patrol to compile specified traffic collision information and to conduct a study and develop recommendations concerning the issue of driver distraction or inattention as they relate to traffic collisions.

Last Action: Chaptered by Secretary of State - Chapter 710, Statutes of 2001.

AB 2018 (Nakano) Public safety: communication system.

Enacts the Public Safety Communication Act of 2002 and establishes 14-member advisory board,

which shall have primary responsibility for developing and implementing a statewide integrated public safety communication system.

Last Action: Chaptered by Secretary of State - Chapter 1091, Statutes of 2002.

AB 2409 (Jackson) Emergency notification systems.

Requires that the Office of Emergency Services conduct a study of the emergency notification systems at California television and radio broadcast stations to determine the ability of these stations to notify the public of emergency situations 24 hours a day.

Last Action: Chaptered by Secretary of State - Chapter 855, Statutes of 2002..

SB 52 (Scott) Firearms: handgun safety certificate.

Specifies that, effective Jan. 1, 2003, no person may purchase, receive, transfer, or sell a handgun, without a valid handgun safety certificate issued by the DOJ.

Last Action: Chaptered by Secretary of State - Chapter 942, Statutes of 2001.

SB 81 (Speier) Motor vehicle insurance.

Permits an injured insured owner of a motor vehicle to recover damages under the uninsured motorist coverage of his/her policy, if struck by his/her own insured car while it was being operated without permission in the course of criminal activity. The criminal activity must be one to which the injured insured was not a party, and must have been documented in a police report.

Last Action: Chaptered by Secretary of State - Chapter 95, Statutes of 2001.

SB 83 (Burton) Forensic testing: post conviction.

Allows, at the request of the guilty party, for the appointment of counsel prior to the filing of a motion for post-conviction DNA testing and to make other technical changes to the provisions on post-conviction DNA testing.

Last Action: Chaptered by Secretary of State - Chapter 943, Statutes of 2001.

SB 189 (Bowen) Controlled substance release: notification.

Requires any owner of residential property that contains waste and seepage from illegal drug labs, particularly methamphetamine labs, to warn prospective purchasers and tenants of the potential hazards.

Last Action: Chaptered by Secretary of State - Chapter 466, Statutes of 2001.

SB 502 (Ortiz) Elder abuse.

Creates a uniform medical examination protocol for collecting evidence in domestic violence and elder abuse cases.

Last Action: Chaptered by Secretary of State - Chapter 502, Statutes of 2001.

SB 1670 (Scott) Firearm safety devices.

Makes it unlawful to keep for commercial sale, offer or expose for commercial sale, or commercially sell, any firearms safety device that is not listed on the Department of Justice (DOJ) roster or that does not comply with the standards adopted by the DOJ. Prohibits any person from keeping for commercial sale, offer, or expose for commercial sale, or commercially sell a gun safe that does not comply with the standards for gun safes unless the gun safe is labeled with a warning.

Last Action: Chaptered by Secretary of State - Chapter 917, Statutes of 2002.

SB 1804 (Escutia) Residential care facilities for the elderly: criminal record checks.

Requires skilled nursing facilities and other intermediate care facilities to secure the same

background checks as similar facilities and expands the types of people that need background checks in order to work in these facilities. Also makes it unlawful for an employer to deduct from the wages earned by an employee, or require an employee to pay, the fees associated with their background clearance.

Last Action: Vetoed.

VOTING RIGHTS

The right to vote - a right for which people around the world still fight - may have been largely taken for granted by most Americans. But that changed dramatically when the world's attention turned to Florida in the aftermath of the presidential election when a nation's political fate hung by a chad and ultimately the Supreme Court of the United States. Assembly Democrats have taken steps this year to ensure that every Californian's vote is counted and that steps are taken to remove any impediments to attracting people to the polls.

AB 56 (Shelley) Voting Modernization Bond Act of 2002.

Enacts the Voting Modernization Bond Act of 2002. Places the bond act on the March primary ballot, where if approved by the voters, would authorize counties to use bond funds for the purchase of updated voting systems in the amount of \$200 million statewide.

Last Action: Chaptered by Secretary of State - Chapter 902, Statutes of 2001.

AB 302 (Migden) Election ballots and voter pamphlets.

Allows a voter to designate additional persons who may return his or her absentee ballot. Allows a voter to designate a person living in the same household to return an absentee ballot.

Last Action: Chaptered by Secretary of State - Chapter 916, Statutes of 2001.

AB 733 (Longville) Elections: extension of deadlines.

Allows a court to extend a postelection statutory deadline when that deadline prevents the proper tabulation or recounting of ballots.

Last Action: Chaptered by Secretary of State - Chapter 919, Statutes of 2001.

AB 1520 (Shelley) Elections.

Authorizes any voter to apply for permanent absent voter status and increases the penalty for willfully interfering with the return of a completed absent voter ballot to imprisonment in a county jail for up to six months, or a fine of up to \$10,000, or both.

Last Action: Chaptered by Secretary of State - Chapter 922, Statutes of 2001.

AB 1714 (Canciamilla) Public resources: prohibited uses.

Extends the prohibitions against state officers using state resources for campaign activities to cover local officers using local resources and in doing so also extends the exemption from civil or criminal liability for incidental or minimal use.

Last Action: Chaptered by Secretary of State - Chapter 154, Statutes of 2002.

AB 2759 (Shelley) Voter registration.

Requires the governing board of each school district that maintains grade 12 to provide a voter

registration card to each student with his or her diploma. It also establishes a "Youth Voter Corps" page on the Secretary of State's website to provide information about elections related activities.

Last Action: Vetoed.

AB 3022 (Special Committee on Assembly Legislative Ethics) State agencies: ethics orientation.

Expands the number of persons required to attend an ethics training course to include all employees of a state agency who are required to file statements of economic interest. Requires attendance at the orientation course at least once during each consecutive period of 2 years.

Last Action: Chaptered by Secretary of State - Chapter 663, Statutes of 2002.

ACA 9 (Longville) Right to have vote counted.

Specifies that a voter who casts a vote in an election shall have that vote counted.

Last Action: Chaptered by Secretary of State - Res. Chapter 114, Statutes of 2001.

SB 34 (Burton) Political Reform Act of 1974.

Requires candidates and committees to report all contributions of \$5,000 or more received outside of an election cycle within 48 hours of receipt. Clarifies that a contributor may not give more than \$25,000 per year to a political party for the purpose of supporting a candidate.

Last Action: Chaptered by Secretary of State - Chapter 241, Statutes of 2001.

SB 1412 (Romero) Voter registration: university and college campuses.

Enacts the Student Voter Registration Act of 2002 requiring the Trustees of the California State University and the board of governors of each community college district and requesting the Regents of the University of California to distribute voter registration forms to students at the beginning of each term. It also directs that voter registration forms be made available at central campus locations and that information on how to obtain voter registration forms be included in specified publications.

Last Action: Vetoed.

WORKING FAMILIES

As the economy worsened and fears of a California recession began to take hold, Assembly Democrats stepped forward to provide protections to California's working men and women and to spur economic growth in those regions and communities with the greatest vulnerability.

AB 140 (Strom-Martin) Rural telecommunications infrastructure: grants.

Requires the Public Utilities Commission to establish a grant program to extend telecommunication services to low-income communities.

Last Action: Chaptered by Secretary of State - Chapter 903, Statutes of 2001.

AB 197 (Correa) Volunteer firefighters: death benefit.

Requires the Board of Administration of the Public Employees' Retirement System to pay a lump-sum benefit of \$3,000 upon the death of a volunteer firefighter to his or her designated beneficiary or estate if the firefighter has accrued 10 years of service.

Last Action: Chaptered by Secretary of State - Chapter 331, Statutes of 2001.

AB 215 (Cohn) Health care benefits: survivors of firefighters and peace officers.

Establishes a state-funded program to assist uninsured spouses and dependent children of peace officers and firefighters, whose death results from the performance of their official duties, to obtain health benefits.

Last Action: Chaptered by Secretary of State - Chapter 775, Statutes of 2001.

AB 325 (Reyes) Farm workers.

Prohibits a farm worker from being required to cash a paycheck at a location designated by a farm labor contractor, grower, or agricultural employer, or being charged a fee for doing so. Also, assigns misdemeanor penalties for wrongful conduct and increases penalties for charging employees transportation costs to and from the job site.

Last Action: Vetoed.

AB 423 (Hertzberg) Farm labor contractors: license requirements.

Requires the Department of Industrial Relations to establish a license verification unit and a farm labor contractor enforcement unit. Revises criminal penalties (fines) for specified wage violations, and establishes a program of state and local enforcement units to prosecute such cases.

Last Action: Chaptered by Secretary of State - Chapter 157, Statutes of 2001.

AB 749 (Calderon) Workers' compensation: administration and benefits.

Increases workers' compensation benefits and establishes reforms in the administration of the workers' compensation system.

Last Action: Chaptered by Secretary of State - Chapter 6, Statutes of 2002.

AB 1170 (Firebaugh) Housing: down payment assistance.

Creates the Building Equity and Growth in Neighborhoods program within the Department of Housing and Community Development. This program will provide grants to local governments for down payment assistance loans to low or moderate income homebuyers who purchase a home in a new development that has received one or more local government development incentives.

Last Action: Chaptered by Secretary of State - Chapter 724, Statutes of 2002.

AB 1284 (Lowenthal) Housing opportunity districts.

Enacts the Job-Center, Community Infill Housing Development Incentive Act of 2002 to promote, encourage, and facilitate adequate housing development to provide affordable housing to California's growing work force. Allows cities and counties to create housing opportunity districts that can use property tax increment revenues to promote affordable housing.

Last Action: Held in the Senate.

AB 1506 (Wesson) Public works: school bond acts.

Requires an awarding body choosing to use funds for a public works project, derived from either the Kindergarten-University Public Education Facilities Bond Act of 2002, or the Kindergarten-University Public Education Facilities Bond Act of 2004, to initiate and enforce, or contract with a third-party to initiate and enforce, a labor compliance program.

Last Action: Chaptered by Secretary of State - Chapter 868, Statutes of 2002.

AB 1820 (Strom-Martin) Workers' compensation: meningitis: tuberculosis: firefighters.

Extends the tuberculosis and meningitis rebuttable presumptions for workers' compensation

insurance to volunteer and partly paid firefighters.

Last Action: Vetoed.

AB 2957 (Koretz) Employment: mass layoffs, relocations and terminations.

Precludes employers from ordering a mass layoff, relocation, or termination, of an industrial or commercial facility employing 50 or more persons, without first giving 60-days notice to affected employees and certain government agencies. An employer would not be required to comply with the 60-days notice requirement if the employer is actively seeking capital or business that would enable the employer to avoid or postpone a relocation or termination, and the employer reasonably and in good faith believed that giving the 60-days notice would preclude the employer from obtaining the capital or business.

Last Action: Chaptered by Secretary of State - Chapter 780, Statutes of 2002.

ACA 4 (Dutra) Transportation funding: sales and use tax revenues.

Amends the California Constitution to dedicate, for transportation purposes, the revenues collected from the state sales tax on gasoline, beginning in 2003-04.

Last Action: Chaptered by Secretary of State - Res. Chapter 87, Statutes of 2001.

SB 20 (Alarcon) Displaced janitors.

Permits janitors to keep their jobs with a successor maintenance contractor up to 60 days when their employer has lost a janitorial contract. Applies to an employer of 25 or more employees.

Last Action: Chaptered by Secretary of State - Chapter 795, Statutes of 2001.

SB 40 (Alarcon) Unemployment insurance: benefits: compensation.

Increases maximum weekly Unemployment Insurance benefits from \$230 incrementally to \$450 by 2005; provides an alternate base of earnings upon which benefits can be calculated; grants benefits to employees who engage in a strike due to a reduction in wages or who are locked out during a labor dispute; and clarifies that penalty amounts given to employees under the federal plant closure law are not considered wages for purposes of benefit reduction.

Last Action: Chaptered by Secretary of State - Chapter 409, Statutes of 2001.

SB 71 (Burton) Workers' compensation: administration and benefits.

Increases workers' compensation benefits and reforms the administration of the workers' compensation system.

Last Action: Vetoed.

SB 448 (Perata) Liability: injuries to peace officers, firefighters, and medical personnel.

Modifies the "firefighter's rule" to permit firefighters, police officers or emergency medical personnel to sue for injuries sustained while attending to an emergency where the conduct that caused injury to the emergency worker violates a statute, ordinance, or regulation and is not the conduct that caused the emergency that necessitated the emergency worker's response.

Last Action: Chaptered by Secretary of State - Chapter 140, Statutes of 2001.

SB 804 (Polanco) Drivers' licenses.

Requires a person applying for a driver's license who has applied for legal immigration status to

submit to a criminal background check. Prohibits the granting of a license if the person has been convicted of specified offenses. Requires the applicant to show that he or she has worked for 15 months out of the preceding three years.

Last Action: Vetoed.

SB 1156 (Burton) Agricultural employer-employee collective bargaining and mediation.

Provides for a contract dispute resolution process between agricultural employers and labor organizations certified as the exclusive bargaining agents of agricultural employees.

Last Action: Chaptered by Secretary of State - Chapter 1145, Statutes of 2002.

SB 1227 (Burton) Housing and Emergency Shelter Trust Fund Act of 2002.

Enacts the Housing and Emergency Shelter Trust Fund Act of 2002, which will authorize the issuance of a \$2.1 billion general obligation bond for state housing programs upon approval by the voters in the November 5, 2002, statewide general election.

Last Action: Chaptered by Secretary of State - Chapter 26, Statutes of 2002.

SB 1403 (Kuehl) Landlord-tenant.

Requires an owner of a residential dwelling giving notice to a tenant of his or her intent to terminate the dwelling to give at least 60-days notice prior to termination or 30-days notice prior to termination if the tenant has resided in the dwelling for less than one year.

Last Action: Chaptered by Secretary of State - Chapter 301, Statutes of 2002.

SB 1661 (Kuehl) Disability compensation: family temporary disability insurance.

Creates a family temporary disability insurance program to provide up to 12 weeks of wage replacement benefits to workers who are unable to work due to their own sickness or injury, the sickness or injury of a child, spouse, parent, domestic partner, or due to the birth, adoption or foster care placement of a new child.

Last Action: Chaptered by Secretary of State - Chapter 901, Statutes of 2002.

SB 1736 (Burton) Agricultural employer-employee collective bargaining, mediation, and arbitration.

Requires the Agricultural Labor Relations Board to assign a third party arbitrator to make binding decisions establishing the terms of a collective bargaining agreement in instances where an employer of agricultural workers and a labor organization representing such workers reach an impasse in negotiations.

Last Action: Vetoed.

AGING & LONG TERM CARE

Honorable Lynn Daucher, Chair

The Assembly Committee on Aging continued its focus on improving various aspects of long-term care programs. Programs that were improved by legislation this year included Adult Day Health Care, Residential Care Facilities for the Elderly, Continuing Care Retirement Communities, and skilled nursing facilities.

Key bills that the committee has considered in the 2001-02 Legislative Session:

AB 829 (Cohn) Health care.

Revises the standards for Adult Day Health Care centers providers and transfers certain responsibilities from the California Department of Aging to the Department of Health Services.

Last Action: Chaptered by Secretary of State - Chapter 681, Statutes of 2001.

AB 830 (Cohn) Senior legal services.

Requires the State Department of Aging to establish a task force to study and make recommendations to the Legislature on issues relating to legal services for seniors.

Last Action: Chaptered by Secretary of State - Chapter 682, Statutes of 2001.

AB 1347 (Pescetti) Dementia caregiver training.

Establishes dementia-specific orientation and "in-service" program requirements for the Certified Nurse Assistant staff of skilled nursing facilities and intermediate care facilities.

Last Action: Chaptered by Secretary of State - Chapter 339, Statutes of 2001.

AB 1961 (Canciamilla) Residential care facilities for the elderly: terminally ill persons.

Permits a residential care facility for the elderly to obtain a waiver from the Department of Social Services to allow a person who has been diagnosed by his or her physician as being terminally ill to become a resident of the facility if that person is already receiving hospice care.

Last Action: Chaptered by Secretary of the State - Chapter 109, Statutes of 2002.

AB 2202 (Alquist) Gerontology Curriculum.

Requires the California State University to provide courses and training in gerontology for professional service delivery personnel such as social workers, nurses, psychologists and physical therapists who provide services to the senior population.

Last Action: Chaptered by Secretary of State - Chapter 551, Statutes of 2002.

AB 3054 (Assembly Committee on Aging and Long-Term Care) Long-Term Care Pilot Projects.

Requires the State Department of Health Services to provide at least, but not limited to, one alternative model to the Long-Term Care Integration Pilot Program.

Last Action: Chaptered by Secretary of State - Chapter 537, Statutes of 2002.

SB 309 (Ortiz) Continuing Care Retirement Communities.

Enhances access of residents of Continuing Care Retirement Communities (CCRCs) to the CCRC provider's governing body.

Last Action: Chaptered by Secretary of State - Chapter 553, Statutes of 2002.

SB 502 (Ortiz) Elder abuse.

Creates a uniform medical examination protocol for collecting evidence in domestic violence and elder abuse cases.

Last Action: Chaptered by Secretary of State - Chapter 579, Statutes of 2001.

SB 533 (Chesbro) Developmental services: integrated community living.

Requires the Department of Developmental Services (DSS) to collect data on whether any individual who currently resides in a developmental center may be supported in an integrated community setting. Requires DDS to identify the specific living arrangements and support services that would facilitate the transition of each of the individuals eligible for services.

Last Action: Vetoed.

SB 639 (Ortiz) Alzheimer's disease and related disorders: demonstration projects.

Requires the Health and Human Services Agency to develop a strategic plan for improving access to mental health services by persons with Alzheimer's disease or related disorders.

Last Action: Chaptered by Secretary of State - Chapter 692, Statutes of 2001.

SB 953 (Vasconcellos) Aging.

Creates the California Coordinated Elder Care and Involvement Act of 2002. This bill creates various programs to seize opportunities for change and to mitigate our current societal shortcomings by:

- a) Generating a change in attitudes toward aging by requesting the Employment Development Department and the Commission on Aging to partner with the Industry Coalition on Age Equity in Media to work with the entertainment industry to change cultural attitudes and perceptions of aging;
- b) Linking California's system of care for older adults and adults with disability with a "Coordinated System of Care.";
- c) Alerting and educating younger generations of the implications of living a longer life with a "Model Curriculum for Lifelong Healthy Aging" and financial preparedness;
- d) Generating a sufficient supply of professionals and para-professionals qualified to serve our elders by instituting gerontology and geriatric training requirements;
- e) Recognizing the potential of California's seniors by "Engaging Elders through Volunteerism"
- f) Offering elder care benefits through employee benefit packages by instituting Employer elder care benefit plans

Last Action: Chaptered by Secretary of State - Chapter 541, Statutes of 2002.

SB 1898 (Soto) Residential care facilities for the elderly: fees and charges.

Prohibits a residential care facility for the elderly licensee from collecting any pre-admission fee from a recipient of benefits under the Social Security Income/State Supplementary Program for the aged, blind and disabled.

Last Action: Chaptered by Secretary of State - Chapter 557, Statutes of 2002.

AGRICULTURE

Honorable Barbara Matthews, Chair

Under the strong leadership of its chair, Assemblymember Barbara Matthews, the Assembly Committee on Agriculture focused on a broad range of issues affecting our state's agricultural industry. Examples of issues the Committee reviewed this year include: maintaining funding for the Department of Food and Agriculture, the Department of Pesticide Regulation, and County Agricultural Commissioners; foreign and domestic marketing, including marketing strategies for California produced agricultural products; preservation and conservation of California farmland and resources; prevention and eradication of destructive pests and diseases and general clarification of commission and council authorities relating to California commodities.

Chair Barbara S. Matthews also initiated the formation of the Select Committee on the Future of Farming in California. The purpose of this committee is to develop strategies and policy goals to support, sustain, and promote the continued success of the agricultural industry in California. The Select Committee held two hearings during the fall of 2001, the first in Stockton and the second in the Salinas Valley. Based on these hearings, the Select Committee introduced legislation for the 2002 Session.

The ultimate goal of the Assembly Committee on Agriculture is to ensure that state policy assists California's agriculture in combating current and future issues that confront the state, its economy and the industry. The following issues are important to California agriculture.

Land Use

Unless strategic policies and regulations are adopted, California's agricultural land will likely be paved over in order to accommodate population growth and the amenities that accompany urbanization. Common sense dictates that without an ample source of food, a population cannot sustain itself; therefore, it does not make sense that we would permit the conversion of farmland for non-agricultural use.

Marketing

Although there is a focus on preserving farmland in order to ensure an adequate, safe, and affordable food supply, we should also evaluate ways to optimize the sale of California-grown commodities. Marketing campaigns such as "Got Milk?" have been tremendously successful in the past and we hope that the recently established "Buy California" program will be just as successful. In the coming years, we need to see an advent of aggressive marketing campaigns for California commodities that will further support our state's agricultural producers, laborers, and our economy.

Plant and Animal Health

Not only is the agricultural industry at risk of losing valuable farmland, it constantly faces the possibility of newly introduced pests and diseases. Immediately after detection, the California Department of Food and Agriculture and County Agricultural Commissioners make efforts to contain the threat and eradicate it before crippling losses occur. In order to be proactive and

minimize these threats, we need to focus more attention and resources on prevention, which could include providing additional resources for check points and trained canines. After the tragedy of September 11, 2001, the protection of our domestic food production has been heightened.

Following are some of the key bills the Agriculture Committee considered during the 2001-02 Legislative Session:

AB 304 (Committee on Agriculture) County agricultural commissioners.

Increases salary subventions provided by the Secretary of the Department of Food and Agriculture for the 58 county agricultural commissioners.

Last Action: Vetoed.

AB 423 (Hertzberg) Farm labor contractors: license requirements.

Requires the Department of Industrial Relations to establish a license verification unit and a farm labor contractor enforcement unit. Revises criminal penalties (fines) for specified wage violations, and establishes a program of state and local enforcement units to prosecute such cases.

Last Action: Chaptered by Secretary of State - Chapter 157, Statutes of 2001.

AB 426 (Cardoza) Taxation.

Provides sales and use tax exemptions for farm equipment and machinery purchases; racehorse breeding stock; diesel fuel used in specified farming, food processing and timber harvesting activities; and propane used in qualified residences and for specific agricultural activities. Increases the benefits paid under the Senior Homeowners' and Renters' Assistance Program.

Last Action: Chaptered by Secretary of State - Chapter 156, Statutes of 2001.

AB 780 (Thomson) Pesticide mill assessments.

Extends from January 1, 2003 to June 30, 2004 the sunset on the 17.5 mills per dollar (\$0.0175) assessment on pesticide sales, rather than allowing it to revert to 9 mills.

Last Action: Chaptered by Secretary of State - Chapter 523, Statutes of 2001.

AB 801 (Salinas) Sale of California produce to institutional purchasers.

Requires California state owned or state run institutions to purchase agricultural products grown in California before those that are grown outside this state, provided the prices for California grown products do not exceed the lowest price of products grown outside California by more than five percent.

Last Action: Vetoed.

AB 955 (Florez) Agricultural disaster prevention: quarantine powers.

Makes several technical changes to provisions governing the authority of the Secretary of the State Department of Food and Agriculture to administer animal quarantines, animal disposal, and compensation to ranchers and others, and addresses the related authority of the State Veterinarian.

Last Action: Chaptered by Secretary of State - Chapter 503, Statutes of 2001.

AB 1242 (Wiggins) Pest control: Glassy-winged Sharpshooter.

Appropriates \$7.14 million of federal funds to be made available until December 31, 2002, to directly compensate growers for vine losses resulting from Pierce's disease and its vector, the glassy-winged sharpshooter.

Last Action: Chaptered by the Secretary of State - Chapter 28, Statutes of 2002.

AB 1394 (Wiggins) Pests: Pierce's disease and the Glassy-winged Sharpshooter.

Creates, until March 1, 2006, the Pierce's Disease and Glassy-winged Sharpshooter Board within the State Department of Food and Agriculture, and provides for an annual assessment to be paid by wine grape processors to fund research of integrated pest management and other practices.

Last Action: Chaptered by Secretary of State - Chapter 103, Statutes of 2001.

AB 1550 (Wiggins) Farmworker housing.

Authorizes formation of a county service area in Napa County for the sole purpose of acquiring, constructing, and maintaining farmworker housing. Authorizes the Napa County Board of Supervisors to impose an annual assessment not to exceed \$10 per planted vineyard acre for this purpose.

Last Action: Chaptered by Secretary of State - Chapter 340, Statutes of 2001.

AB 2587 (Matthews) Food: water usage forecasts.

Requires the Department of Food and Agriculture (DFA) to supply the Department of Water Resources with a forecast that estimates the amount of production of food, fiber, livestock, and other farm products. Requires the DFA to furnish the forecast to the Department of Water Resources for estimating related water usage, as well as to the Chairs of the Assembly Committee on Agriculture, the Assembly Committee on Water, Parks, and Wildlife, and the Senate Committee on Agriculture and Water Resources.

Last Action: Chaptered by Secretary of State - Chapter 615, Statutes of 2002.

AB 2823 (Strom-Martin) Organic products.

Revises the California Organic Food Act to conform to the National Organic Program. Broadens the regulatory authority of the California Department of Food and Agriculture and Department of Health Services relating to products labeled as "organic" and the enforcement of provisions regarding processed food, pet food, nonfood plants and cosmetics. Changes the fee structure and registration requirements for organic producers and processors, including retailers.

Last Action: Chaptered by Secretary of State - Chapter 533, Statutes of 2002.

AB 3057 (Matthews) Agricultural lands: local plans.

Requires a city or county to amend its general plan to include a local agricultural and open-space element, in order to minimize or avoid conflicts between urban, open-space, and agricultural uses, and to protect the long-term viability of the agricultural economy within the county. Renames the open-space element the "agricultural and open-space element."

Last Action: Vetoed.

SB 594 (Chesbro) Pest control: Pierce's disease.

Authorizes the creation of the Napa County Winegrape Pest and Disease Control District to provide for the detection, education, and control of Pierce's disease.

Last Action: Chaptered by Secretary of State - Chapter 442, Statutes of 2001.

SB 1125 (Burton) Farm labor contractors: licensing.

Provides that farm labor contractor wage surety bonds and a portion of the license fees are payable for damages arising from labor law violations.

Last Action: Chaptered by Secretary of State - Chapter 147, Statutes of 2002.

ARTS, ENTERTAINMENT, SPORTS, TOURISM, AND INTERNET MEDIA

Honorable Rebecca Cohn, Chair

In an effort to focus greater attention on the culture industries that drive much of California's economy, Speaker Wesson created the Committee on Arts, Entertainment, Sports, Tourism and Internet Media. Under the leadership of Assemblymember Rebecca Cohn this new body hit the ground running focusing on several issues of economic importance to these industries including film and music piracy, the use of performance enhancing substances in professional sports, luring the filmed entertainment industry back to California, and access to the creative arts.

One of the first issues to come to the attention of the committee was film and music piracy. In the 1980s the Legislature established what was then a strong policy against the piracy of music and film recordings. However, technology has changed significantly since that time making the production and distribution of pirated works easier, the network broader, and the recordings of higher quality. Piracy is perceived as a crime only against authors, performers, composers, musicians, record companies, distributors, wholesalers, retailers, but ultimately it is a crime against consumers and music fans. This issue remains a priority and will be further addressed throughout the fall and in the next legislative session.

Recognizing that the entertainment industry is an economic engine for the state of California, the committee passed legislation to provide wage-based tax credits for motion pictures produced in the state. This bill is in direct response to the concern that Canada and other countries are using tax credits and rebates to lure producers of entertainment productions to do their work outside of the United States. As a result, there has been a very high level of unemployment among the film trades in California. The tax credit proposed in this bill will spell the difference between producing films abroad and at home for many productions.

Following are some of the significant bills considered by the committee this legislative session:

AB 1956 (Vargas) Video Arcade Facilities: signs and brochures.

Requires a video arcade to post a sign that notifies consumers that a video arcade game rating system, created by the video arcade gaming industry, is available to aid in the selection of a game. Further mandates a video arcade to make brochures available to the public explaining the system.

Last Action: Chaptered by Secretary of State - Chapter 748, Statutes of 2002.

AB 2410 (Frommer) Motion picture industry: employment and economic data.

Requires the Employment Development Department, in conjunction with other specified agencies, to monitor and study the economic impacts of film production in California including and impacts by external sources and influences. Also, calls on the California Film Commission to annually report on film starts in the state.

Last Action: Chaptered by Secretary of State - Chapter 1042, Statutes of 2002.

AB 2747 (Wesson, Cohn, Goldberg, and Frommer) Motion picture tax credits.

Authorizes a credit against personal income and bank and corporation taxes of 15% for specified wages associated with film production occurring in California commencing on or after July 1, 2004.

Last Action: Held in the Senate.

AJR 47 (Jackson) Commending Title IX of the Education Amendments of 1972.

Memorializes the President and Congress of the United States to uphold the intent and substance of the current provisions of Title IX of the Education Amendments of 1972, to pursue a stronger enforcement policy for Title IX, to support the continuation of the strong compliance standards that are in place for Title IX, and to encourage all Americans to participate in the national celebration, "Celebrating 30 Years of Title IX".

Last Action: Chaptered by Secretary of State - Res. Chapter 117, Statutes of 2002.

SB 1937 (Costa) Digital Arts Studio Partnership Demonstration Program.

Creates the Digital Arts Studio Partnership Demonstration Program to train 13 - 18 year old youths in digital technology through after-school programs. Requires the California Arts Council to develop, administer and implement the program.

Last Action: Chaptered by Secretary of State - Chapter 980, Statutes of 2002.

BANKING & FINANCE

Honorable Louis J. Papan, Chair

During the 2001-2002 Legislative Session, the Committee on Banking & Finance, has focused on privacy, predatory lending and payday loans, all of which are significant consumer issues.

While personal financial information privacy concerns have been an important issue for some time, it was the Gramm-Leach-Bliley Act that intensified public interest in the topic. The Act's privacy provisions constituted a significant change in the laws governing the transmission of non-public personal information by and among affiliates and non-affiliates. And though, except for the Fair Credit Reporting Act, there were few state or federal laws that addressed the issue of transmission of non-public personal information, the enactment of Gramm-Leach-Bliley Act immediately gave rise to calls for legislation in California. In addition, we have taken significant steps to address sub-prime lenders and predatory practices.

Some of the key bills considered by the committee this session include:

AB 119 (Chavez) Securities: broker-dealers: employee criminal background checks.

Allows broker-dealers, those engaged in the business of effecting transactions in securities in this state for the account of others or for his own account, to have background checks of potential employees done by the California Department of Justice.

Last Action: Chaptered by Secretary of State - Chapter 547, Statutes of 2001.

AB 344 (Migden) Loans secured by real property: predatory lending practices.

Regulates lending practices defined as predatory and affects loans secured by real property which are the result of such practices and provides remedies for the aggrieved borrowers and sanctions for the offending lenders.

Last Action: Chaptered by Secretary of State - Chapter 733, Statutes of 2001.

AB 488 (Kehoe) Consumer credit reporting agencies: information disclosure.

Requires consumer credit bureaus to place in a consumer's credit file and credit report the addresses and telephone numbers identified for customer service for the sources and recipients of credit information relating to the consumer.

Last Action: Chaptered by Secretary of State - Chapter 236, Statutes of 2001.

AB 489 (Migden) Property lending: predatory lending practices.

Provides borrowers with important protections against deceptive and destructive lending practices that are not currently available in state or federal law, including failing to consider the financial ability of a borrower to repay the loan, selling credit insurance without full disclosure and recommending or encouraging a consumer to default on an existing consumer loan in order to solicit another loan.

Last Action: Chaptered by Secretary of State - Chapter 732, Statutes of 2001.

AB 521 (Koretz) Credit cards: student credit cards: credit card marketing practices.

Requires the California State University and the California Community Colleges, and requests the Regents of the University of California and private universities and colleges in the state, to adopt policies to regulate the marketing practices of credit card vendors on their campuses.

Last Action: Chaptered by Secretary of State - Chapter 294, Statutes of 2001.

AB 655 (Wright) Personal identifying information: identity theft.

Permits consumers to have their names removed from any list provided by a credit bureau to another entity for credit offers not solicited by the consumer. Expands the rights and protections afforded to consumers who are the subject of investigations by investigative consumer reporting agencies.

Last Action: Chaptered by Secretary of State - Chapter 354, Statutes of 2001.

AB 865 (Hertzberg) Credit cards.

Requires credit card companies to provide information in a cardholders' billing statement regarding the time and cost associated with paying off a balance using minimum payments.

Last Action: Chaptered by Secretary of State - Chapter 711, Statutes of 2001.

AB 2157 (Papan) Credit unions.

Establishes requirements for the organization, regulation and imposition of sanctions for violations of law relating to credit unions. Expands the current enforcement powers in the California Credit Union Law to provide the commissioner of the State Department of Financial Institutions (DFI) the ability, without prior notice and hearing, to take possession of the assets and business of other DFI licensees, or to suspend and remove subject persons of these licensees.

Last Action: Chaptered by Secretary of State - Chapter 734, Statutes of 2002.

AB 2293 (Liu) Consumer credit counseling organizations.

Clarifies and enhances the requirements for the exemption from the licensing and regulatory requirements of the Proraters Law that applies to nonprofit community service organizations. The measure is intended to crack down on abuses by so-called nonprofit proraters, who charge excessive up-front and ongoing fees for managing a client's debt repayment plan.

Last Action: Chaptered by Secretary of State - Chapter 779, Statutes of 2002.

SB 125 (Alpert) Identity theft.

Allows an identity theft victim to obtain information about unauthorized requests for credit that have been made in his or her name.

Last Action: Chaptered by Secretary of State - Chapter 493, Statutes of 2001.

SB 168 (Bowen) Personal information: confidentiality: identity theft.

Seeks to prevent identity theft by permitting consumers to place security alerts and security freezes on their credit reports and restricting the use of Social Security numbers as identifiers.

Last Action: Chaptered by Secretary of State - Chapter 720, Statutes of 2001.

SB 270 (Speier) Mortgages: mortgage insurance: disclosures.

Amends the annual disclosure statement mortgage lenders are required to give to borrowers notifying them of the right to cancel private mortgage insurance, to more clearly inform borrowers that the ability to cancel the coverage may be based on various factors, including appreciation of the value of the property.

Last Action: Chaptered by Secretary of State - Chapter 137, Statutes of 2001.

SB 898 (Perata) Check cashers: deferred deposit transactions.

Enacts a comprehensive licensing and regulatory scheme for persons engaging in the business of making deferred deposit transactions (i.e., "payday loans"). Eliminates the ability of licensees to charge a customer a \$10 fee that check cashers may charge to set up an initial account and issue an optional identification card for providing check-cashing services. Requires licensees to maintain a surety bond of at least \$25,000.

Last Action: Chaptered by Secretary of State - Chapter 777, Statutes of 2002.

SB 1239 (Figueroa) Consumer credit reporting agencies.

Requires consumer credit reporting agencies (credit agencies) to provide suspected identity theft victims with a disclosure of their rights, and provides for up to 12 free credit reports during a one-year period to victims who submit a valid police or investigative report alleging identity theft.

Last Action: Chaptered by Secretary of State - Chapter 860, Statutes of 2002.

SB 1730 (Bowen) Personal information.

Provides that existing provisions of law relating to security freezes do not apply to the use of a consumer report by any person or entity administering a credit file monitoring subscription service to which the consumer has subscribed. Permits social security numbers to be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process, or to establish, amend or terminate an account, contract or policy, or to confirm the accuracy of the social security number.

Last Action: Chaptered by Secretary of State - Chapter 786, Statutes of 2002.

SB 1926 (Costa) Finance lenders: live checks.

Prohibits consumer finance lenders from producing, advertising, offering, selling, distributing, or transferring for use in this state, any live check, i.e., any loan or extension of credit that is made available in the form of a check, draft, or any other negotiable instrument unless the check contains a notice on the front of the check in 12-point type stating "THIS IS A LOAN OR AN EXTENSION OF CREDIT. YOU WILL PAY CHARGES." Provides safeguards to protect consumers in the event a live check is fraudulently used by someone other than the intended recipient of the live check.

Last Action: Chaptered by Secretary of State - Chapter 772, Statutes of 2002.

BUDGET

The 2002 State Budget Act encompasses the most significant fiscal decisions, and many of the most critical policy decisions the Legislature and the Administration will make this year. Through this one Act, literally hundreds of decisions have been made that will impact the lives of every child, adult, senior, and business in California.

On January 10, 2002, Governor Gray Davis introduced his proposed budget for the 2002-03 fiscal year. The proposed budget contained \$80.8 billion in available General Fund resources, and \$78.8 billion in General Fund expenditures. The January proposal was predicated upon economic and revenue forecasts developed during the Fall of 2001 by the Department of Finance. This forecast identified a \$12.5 billion General Fund shortfall and included the largest year over year revenue since World War II. However, soon after the budget was released it became apparent that revenue and expenditure projections would need to be revised to reflect an even greater General Fund shortfall.

The Governor's May Revision identified the General Fund shortfall to be \$23.6 billion and contained revenue projections of \$78.5 billion and expenditures projections of \$76.5 billion. Despite the constraints outlined in the Governor's May Revision, the final budget ultimately crafted by the Legislature and signed into law by the Governor on September 5, 2002, preserves critical investments in public education, health access, public safety, human services, and environmental protection.

In total, the 2002 State Budget Act contains expenditures of \$98.8 billion, including \$76.5 billion from the General Fund. The reserve for economic uncertainties stands at \$1.035 billion, or 1.3 percent of General Fund expenditures.

The following tables provide General Fund information, including a final General Fund summary, an outline of how the \$23.6 billion shortfall was closed, and an update of General Fund expenditures by agency as proposed by the Governor, amended by the Legislature, and finally as signed into law by the Governor.

2002-03 GENERAL FUND BUDGET SUMMARY (in millions)		
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	2001-02	2002-03
Beginning Resources	\$3,037	\$72
Revenues and Transfers	\$73,898	\$79,158
Total Revised Resources	\$76,935	\$79,230
Expenditures	\$76,863	\$76,722
Fund Balance	\$72	\$2,508
Reserves:		
Liquidation of Encumbrances	\$1,473	\$1,473
Economic Uncertainties	-\$1,401	\$1,035

CLOSING THE \$23.6 BILLION GAP (in millions)		
Description	Amount	Percentage
Program Reductions	\$7,458	31.5%
Tobacco Settlement Securitization	4,500	19.0
Loans	2,028	8.6
Deferral of Educational Disbursements	1,728	7.3
Fund Shifts	1,328	5.6
Net Operating Loss (NOL) Deferral	1,200	5.1
Debt Restructuring	1,083	4.6
Federal Tax Conformity / Compliance	1,081	4.6
Federal Funding Increases	1,081	4.6
Fund Transfers	904	3.8
Other Accelerations & Transfers	681	2.9
Stock Options / Bonus Withholdings	400	1.7
Teacher Tax Credit, One-year Suspension	170	.7
Total	\$23,642	100.0%

**GENERAL FUNDS, SPECIAL FUNDS, AND BOND FUNDS BUDGET AMOUNT
BY AGENCY
(in millions)**

	Governor's January 10 Budget	Legislature's Final Budget	Final Budget Act
K – 12 Education	\$31,851	\$31,308	\$31,305
Higher Education	11,378	11,337	11,328
Health & Human Services	27,228	26,609	26,432
Youth & Adult Correctional	5,294	5,312	5,309
Tax Relief	4,423	4,422	4,423
Resources	2,727	3,300	3,298
Environmental Protection	980	1,065	1,057
Courts	1,701	4,451	4,422
State & Consumer Services	1,085	1,058	1,057
Business, Transportation & Housing	7,348	7,067	7,059
Technology, Trade & Commerce	81	52	51
Local Government Subventions / Other	5,936	6,031	6,036

BUSINESS & PROFESSIONS

Honorable Lou Correa, Chair

The Committee on Business and Professions' core issue is the protection of consumers. Consumer-related subjects considered by the committee during 2001-02 Legislative Session include: reforms of the accounting profession and the California Board of Accountancy in order to protect Californians from future debacles similar to Enron, Arthur Andersen, and WorldCom; reforms of the California Medical Board, including increased public disclosure of malpractice judgements; requirements that optometrists and ophthalmologists must give patients their prescriptions for contact lenses; enhancements of the training and qualifications of private security guards; restrictions on telemarketers and the establishment of a state "do not call" list for residential and wireless phones, and fines for violations by telephone solicitors; regulation of fees and interest rates for short-term loans known as "payday advances" and related financial transactions; reform of the boards and bureaus at the Department of Consumer Affairs in order to enhance accountability, ensure that "protection of the public" is the highest priority for all regulatory boards and bureaus, and guarantee effective enforcement of violations of consumer protection laws; increased disclosure to consumers about fees and others costs associated with the use of prepaid telephone calling cards and services; restrictions on "junk" faxes; regulation of the construction industry, including home service and repair contractors; revisions of the flammability standards for home furnishings and bedding materials to protect families and children; regulation of funeral establishments, cemeteries and crematories; regulation of veterinarians, pet shops, and breeders of puppies and sentry dogs; requirements that credit reporting agencies provide consumers with information to help prevent identity theft; and regulation of consumer product warranties.

The other major subject area within the jurisdiction of the committee is public contracting, which involves billions of dollars. Examples of relevant legislation considered by the committee include: easements and rights-of-way on public property for telecommunications and information technology corporations; use of the design-build approach to contracting as a cost-saving alternative to traditional contracting methods for school facility construction and transportation-related projects; establishment of outreach programs to encourage small and disabled veteran businesses to contract with public agencies; requiring the adoption of fuel-efficiency and air pollution emission standards for state-owned vehicles; retrofits of public buildings and private residences for seismic safety and energy efficiency; transfers of state-owned property to local governmental jurisdictions; and enacting restrictions and increased penalties on public contractors who violate the law.

The following are some of the key bills the committee has considered during the 2001-2002 Legislative Session:

AB 113 (Pavley) California Poet Laureate.

Establishes the position of California Poet Laureate, who would be appointed for a maximum of two two-year terms by the Governor and the Senate from a list of nominees garnered by the California Arts Council through a panel of literary experts, and who would perform a number of duties including at least six public readings and a project designed to bring the literary arts to the public and to schools.

Last Action: Chaptered by Secretary of State - Chapter 206, Statutes of 2001.

AB 269 (Correa) Professional and vocational licensing boards, and bureaus.

States that the highest priority for licensing boards, commissions, and bureaus overseen by the Department of Consumer Affairs, in performing their licensing, regulatory, and disciplinary functions, is the protection of the public.

Last Action: Chaptered by Secretary of State - Chapter 107, Statutes of 2002.

AB 270 (Correa) Professions: accountancy.

Changes the membership of the California Board of Accountancy so that a majority of the membership will be consumers and public members instead of certified public accountants representing the accounting profession, thereby making California the first state in the nation with a public member majority on an Accountancy Board.

Last Action: Chaptered by Secretary of State - Chapter 231, Statutes of 2002.

AB 452 (Correa) Real estate: subdivisions.

Informs a person buying residential property in a subdivision that they have a right to negotiate property inspections under terms mutually agreeable to the prospective buyer and seller to assist the buyer in making an informed decision.

Last Action: Chaptered by Secretary of State - Chapter 307, Statutes of 2001.

AB 488 (Kehoe) Consumer credit reporting agencies: information disclosure.

Requires consumer credit bureaus to place in a consumer's credit file and credit report the addresses and telephone numbers identified for customer service for the sources and recipients of credit information relating to the consumer.

Last Action: Chaptered by Secretary of State - Chapter 236, Statutes of 2001.

AB 603 (Dutra) Home furnishings.

Requires all box springs manufactured for sale or offered for sale in California to be flame retardant and requires that fire retardant mattresses and box springs meet a resistance to open flame based on a test method developed by the bureau or based on the American Society of Testing and Materials.

Last Action: Chaptered by Secretary of State - Chapter 199, Statutes of 2001.

AB 678 (Papan) Contractors.

Authorizes a person who uses an unlicensed contractor to bring an action in any court in this state for recovery of compensation paid to the unlicensed contractor for performance of any act or contract.

Last Action: Chaptered by Secretary of State - Chapter 226, Statutes of 2001.

AB 978 (Steinberg) Native American graves protection and repatriation.

Establishes the California Native American Graves Protection and Repatriation Act of 2001, a process for repatriation of Native American human remains and cultural items that are currently in the possession of state agencies and museums.

Last Action: Chaptered by Secretary of State - Chapter 818, Statutes of 2001.

AB 1084 (Wesson) Public contracts.

Seeks to increase the participation of small businesses in public contracts for construction, goods, and services. Allows local governments to use small business preferences in the awarding of contracts and requires awarding agencies to report annually to the Legislature on the level of participation by minority and women business enterprises.

Last Action: Chaptered by Secretary of State - Chapter 882, Statutes of 2001.

AB 1530 (Longville) Public works: cost savings.

Increases the extra compensation to a contractor of any competitively bid public works contract to 60 percent for certain publicly supervised transportation projects if the cost reduction significantly reduces or avoids traffic congestion during construction of the project.

Last Action: Chaptered by Secretary of State - Chapter 166, Statutes of 2001.

AB 1753 (Migden) Magazine distributors.

Requires magazine mailing labels to disclose the subscription expiration date, and requires magazine distributors to put the magazine subscription expiration date on all magazine renewal notices or direct subscribers to refer to the magazine mailing label.

Last Action: Chaptered by Secretary of State - Chapter 191, Statutes of 2002.

AB 2020 (Correa) Optometry.

Requires a prescriber or registered dispensing optician to provide a patient with a copy of his or her contact lens prescription. Specifies the requirements of an expiration date on a prescription. Requires that sellers other than the prescriber must attempt to verify the prescription with the prescriber. Requires a nonresident contact lens seller to provide a toll-free telephone number, facsimile line, or E-mail address where contact lens prescribers may confirm their prescriptions.

Last Action: Chaptered by Secretary of State - Chapter 814, Statutes of 2002.

AB 2244 (Wayne) Prepaid calling cards and services.

Expands the disclosure of prepaid calling card fees or charges, adds restrictions on how fees or charges are imposed and how a prepaid calling card company operates its required customer service telephone number, and requires that mandated disclosures be made in any language that is used on the prepaid card, its packaging, advertising or promotion.

Last Action: Chaptered by Secretary of State - Chapter 778, Statutes of 2002.

AB 2473 (Simitian) Gift certificates

Requires the issuer of a gift certificate who is in bankruptcy to continue to honor a gift certificate issued prior to the date of the bankruptcy filing. Specifies that it does not alter the terms of a gift certificate or require an issuer to perform specified acts.

Last Action: Chaptered by Secretary of State - Chapter 997, Statutes of 2002.

AB 2474 (Simitian) Automotive products.

Requires engine coolants or antifreeze made with ethylene glycol sold after January 1, 2004, to contain a bittering agent. Ethylene glycol is extremely toxic and has a natural sweet taste that has been the cause for many accidental poisonings of children and animals from ingestion of antifreeze.

Last Action: Chaptered by Secretary of State - Chapter 998, Statutes of 2002.

AB 2780 (Corbett) Private security services.

Allows any person in the state to file a complaint with the Department of Consumer Affairs alleging that private patrol operators (PPOs) and PPO applicants fail to meet registration standards. Prohibits PPOs from discharging or discriminating against an employee who discloses information to government or law enforcement.

Last Action: Chaptered by Secretary of State - Chapter 884, Statutes of 2002.

AB 2873 (Frommer) Accounting.

Enacts legislation to provide consumer protection and audit integrity in the field of accountancy. Makes the willful destruction of a client's records by a licensed accountant grounds for disciplinary action by the California Board of Accountancy. Requires the retention of audit documentation for seven years and specifies what the documentation shall contain.

Last Action: Chaptered by Secretary of State - Chapter 230, Statutes of 2002.

AB 2970 (Wayne) Accounting: audits.

Prohibits an accountant from accepting employment from an audit client or its affiliate within 12 months of issuance of a financial statement when the employment permits the accountant to exercise authority over accounting or financial reporting.

Last Action: Chaptered by Secretary of State - Chapter 232, Statutes of 2002.

AB 2944 (Kehoe) Advertising: facsimile machines.

Deletes the existing state law prohibiting the faxing of unsolicited advertising material so that the more stringent federal law can take precedence. Existing state law allows unsolicited faxed documents as long as there is a toll-free telephone number that the recipient may call or other means for them to contact the sender. The current federal law, the Telephone Consumer Protection Act of 1991, prohibits the transmission of unsolicited advertisements by telephone facsimile machines and provides various remedies.

Last Action: Chaptered by Secretary of State - Chapter 700, Statutes of 2002.

SB 85 (Murray) Contracts: health studios.

Prohibits a contract for health studio services from requiring payments or financing exceeding the term of the contract.

Last Action: Chaptered by Secretary of State - Chapter 233, Statutes of 2001.

SB 135 (Figueroa) Contractors.

Requires the Registrar at the Contractor's State License Board to disclose specific information to the public concerning accusations and investigations associated with contractors, and to disclose specific information regarding legal actions, effective July 1, 2002.

Last Action: Chaptered by Secretary of State - Chapter 494, Statutes of 2001.

SB 542 (Ortiz) Cemeteries.

Allows unoccupied portions of family plots located in private cemeteries to be sold by the family and amends various cemetery law definitions.

Last Action: Chaptered by Secretary of State - Chapter 436, Statutes of 2001.

SB 771 (Figueroa) Unsolicited and unwanted telephone solicitations.

Requires the Attorney General to maintain a state “do not call” list for residential and wireless telephone subscribers who do not want to receive unsolicited telephone solicitations, and prohibits telephone solicitors from calling phone numbers on this list.

Last Action: Chaptered by Secretary of State - Chapter 695, Statutes of 2001.

SB 1194 (Romero) Legal services: attorneys and immigration consultants.

Provides improved remedies for individuals harmed by persons engaging in the unauthorized practice of law. Strengthens the bonding requirements for persons who perform work as immigration consultants, as an added protection to individuals who use their services. Allows recovery of damages for the victims, appropriate equitable relief, attorney's fees and, if appropriate, exemplary damages.

Last Action: Chaptered by Secretary of State - Chapter 304, Statutes of 2001.

SB 1765 (Bowen) Consumer Warranties

Requires warranty cards to disclose that return of the warranty card is not required to obtain warranty coverage.

Last Action: Chaptered by Secretary of State - Chapter 78, Statutes of 2002.

EDUCATION

Honorable Virginia Strom-Martin, Chair

In the 2001- 2002 Legislative Session, the Committee on Education, under the leadership of its Chair, Assemblymember Virginia Strom-Martin, sought to improve the education of the 6 million pupils in California. To improve our poorest performing schools, the committee approved major legislation, AB 961 (Steinberg), establishing the \$200 million High Priority School Grant Program for Low Performing Schools for schools that participate in the Immediate Intervention/Underperforming Schools Program. First priority for the funds are given to schools ranked in the first decile of the Academic Performance Index.

The Legislature enacted a major school bond program to improve the physical condition of our schools. AB 16 (Hertzberg) which authorizes two statewide general obligation (GO) bond elections, one in 2002 and one in 2004, in the total amounts of \$13.05 billion and \$12.30 billion respectively, to be known as the Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004. The K-12 part of the bill addresses the needs for new construction, modernization, critically overcrowded schools and charter schools.

Enhancement of school safety, school support services and pupil health were included in legislation passed by the committee this session. Two important school counseling bills, AB 2025 (Corbett) and SB 1934 (McPherson), create a working group to develop a master plan for pupil support services and expand the definition of school counselors. Cultivating dynamic counseling services can advance school safety, affect students' sense of well being and ultimately improve academic performance.

Student health is also considered in SB 19 (Escutia), AB 1905 (Longville) and SB 1868 (Torlakson). SB 19 (Escutia) prohibits the sale of carbonated beverages in elementary and middle schools during the school day and requires that foods that are sold at elementary schools meet certain nutritional standards. It also establishes a pilot program that implements specified nutritional standards for participating high schools and middle schools. In addition, the bill increases per-meal funding for free-and reduced-price school lunches and provides funds to school districts that convene Child Nutrition and Physical Activity Advisory Committees - including students, parents, school staff and others - that develop and adopt school district policies on nutrition and physical education. AB 1905 requires pupil screening for Type 2 Diabetes Mellitus during pupil scoliosis screenings. SB 1868 requires that students pass a physical fitness test prior to being excused from high school physical education classes.

The committee also passed a package of career and technical education bills. These bills include: SB 1051 (McPherson), which requires the Superintendent of Public Instruction (SPI) to develop curriculum standards for career technical education instruction for students in grades 7-12 and requires the State Board of Education (SBE) to adopt these standards by May 1, 2003; AB 348 (Wright), requires the SPI to adopt standards for a career technical education course of study by May 1, 2003. AB 1018 (Liu) creates the Industry-Based Certification Incentive Grant Program for the purpose of awarding grants to selected school districts, county offices of education and regional occupational centers and programs and to establish industry-based certification programs within

their career technical programs; AB 717 (Wiggins), establishes the California Information Technology Career Academy Grant program as a partnership with the National Academy Foundation to provide grants to create 100 information technology career academies in high schools statewide.

The following are key bills the committee considered during the 2001-2002 Legislative Session:

AB 6 (Cardenas) Before and after school programs.

Revises the After School Learning and Safe Neighborhoods Partnerships Program by authorizing “before school programs” and creating a new funding formula in support of the before school option.

Last Action: Chaptered by Secretary of State - Chapter 545, Statutes of 2001.

AB 16 (Hertzberg) Education facilities: Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004.

Enacts and places the \$13 billion Kindergarten-University Public Education Facilities Bond Act of 2002 on the November 2002 ballot. It also enacts and places the \$12.2 billion Kindergarten-University Public Education Facilities Bond Act of 2004 on the 2004 Primary ballot. The bill contains a provision that if the second measure is not approved by the voters at the 2004 Primary Election, the bond act will appear on the November 2004 ballot.

Last Action: Chaptered by Secretary of State - Chapter 33, Statutes of 2002.

AB 50 (Hertzberg) School finance.

Deletes the sunset for the Schiff-Bustamante Standards-Based Instructional Materials Program which requires that the State Department of Education apportion funds to school districts on the basis of an equal amount per pupil enrolled in public elementary schools and high schools for the purpose of purchasing instructional materials, specifically textbooks.

Last Action: Vetoed.

AB 75 (Steinberg) Principal Training Program.

Establishes the Principal Training Program to provide incentive funding for schoolsite administrator instruction and training.

Last Action: Chaptered by Secretary of State - Chapter 697, Statutes of 2001.

AB 79 (Havice) School safety.

Requires the State Department of Education to develop model policies on the prevention of bullying and on conflict resolution.

Last Action: Chaptered by Secretary of State - Chapter 646, Statutes of 2001.

AB 292 (Strom-Martin) Staff development: California Professional Development Institutes.

Requires the state to provide qualifying teachers with a per diem reimbursement for overnight accommodations if they have to travel more than 70 miles and 90 minutes (under normal traveling conditions) from home in order to attend one of the California Professional Development Institute.

Last Action: Vetoed.

AB 297 (Kehoe) Before and after school programs.

Establishes the statewide Six-to-Six Before and After School Program, by allowing before- and after-school programs, in schools which do not meet the income priorities of the After School Learning Safe Neighborhoods and Partnership Program, to operate up to 30 hours per week without obtaining a child care license or special permit.

Last Action: Chaptered by Secretary of State - Chapter 453, Statutes of 2001.

AB 306 (Frommer) Special education.

Provides that a local education agency may reinforce Braille instruction using a Braille instructional aide with an appropriate credential. Requires that textbook publishers provide computer files of materials so they may be produced in an alternative media accessible to vision impaired pupils.

Last Action: Chaptered by Secretary of State - Chapter 736, Statutes of 2001.

AB 316 (Salinas) Parental involvement: pilot program.

Establishes, until January 1, 2004, a pilot program to be implemented and administered by the State Department of Education to assist schools in holding a parent-teacher event on a weekend day rather than during the work week.

Last Action: Vetoed.

AB 348 (Wright) Career technical education.

Requires the Superintendent of Public Instruction to adopt standards for a career technical education course of study by May 1, 2003. The bill also requires the California State University, and requests the University of California, to develop procedures that will allow career technical courses to satisfy coursework admission requirements.

Last Action: Vetoed.

AB 466 (Strom-Martin) Mathematics and Reading Professional Development Program.

Establishes the Mathematics and Reading Professional Development Program to provide school districts, county offices of education and charter schools with incentive funding for mathematics and reading staff development for teachers and instructional aides.

Last Action: Chaptered by Secretary of State - Chapter 737, Statutes of 2001.

AB 559 (Wiggins) Emergency medical services.

Authorizes a school district or county office of education to provide emergency epinephrine auto-injectors to trained personnel, and would authorize the trained personnel to utilize those epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction.

Last Action: Chaptered by Secretary of State - Chapter 458, Statutes of 2001.

AB 620 (Wayne) Education: high-tech high schools.

Establishes the High-Tech High School Grant Program to provide 10 one-time grants of \$2 million each to eligible school districts or charter schools to establish new high-tech high schools.

Last Action: Chaptered by Secretary of State - Chapter 705, Statutes of 2001.

AB 717 (Wiggins) Information Technology Career Academy Grant Initiative.

Establishes a partnership between the State and the National Academy Foundation to create up to 100 Information Technology Career Academies in public high schools and requires that grant funds be made available to qualifying school districts to establish and maintain Information Technology Career Academies.

Last Action: Chaptered by Secretary of State - Chapter 709, Statutes of 2001.

AB 760 (Shelley) School athletics: safety.

Establishes the Pupil Athletic Access and Safety Program pilot project, to provide grants to private nonprofit organizations in specific regions of the state to provide direct services and promote pupil participation and safety in high school inter-scholastic athletics.

Last Action: Chaptered by Secretary of State - Chapter 553, Statutes of 2001.

AB 764 (Goldberg) Kindergarten.

Authorizes a kindergarten pupil in a multitrack year-round school to be kept in school for 265 minutes of instruction, exclusive of recesses.

Last Action: Chaptered by Secretary of State - Chapter 87, Statutes of 2001.

AB 769 (Goldberg) School-to-Career Technology Training Center Program.

Establishes the School-to-Career Technology Training Center Program to improve career technical education by promoting coalitions among local industries, county welfare-to-work programs, and high schools.

Last Action: Vetoed.

AB 833 (Steinberg) Teachers: teacher qualification index.

Requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop a teacher qualification index for each public school, to measure the distribution of teachers within school districts across the state and to assign a rating that will demonstrate comparable improvement in the assignment of credentialed teachers and under-qualified teachers in each public school.

Last Action: Vetoed.

AB 855 (Dutra) State special schools and other educational programs: teacher compensation.

Requires salaries paid to teachers, teacher specialists, and administrators employed by State Special Schools, various state departments that offer educational services, cadet camps, and the Diagnostic Centers, to be no less than the salaries of public school educators with similar assignments working in the school districts with boundaries that encompass the state facilities that employ the teachers.

Last Action: Vetoed.

AB 916 (Keeley) School health instruction.

Requires school districts to include instruction in the prevention of sexually transmitted infections to the existing instruction on HIV/AIDS.

Last Action: Vetoed.

AB 961 (Steinberg) Low-performing schools.

Creates the High Priority School Grant Program for Low Performing Schools which provides \$200 million for schools scoring in the lowest two deciles on the Academic Performance Index.

Last Action: Chaptered by Secretary of State - Chapter 749, Statutes of 2001.

AB 1307 (Goldberg) Teacher credentialing.

Provides both a freeze on new credential requirements added or imposed upon credential candidates once that individual has enrolled in a preparation program and an extension of time to complete these preparation programs.

Last Action: Chaptered by Secretary of State - Chapter 565, Statutes of 2001.

AB 1478 (Salinas) School construction approval.

Requires geological and soil engineering studies be conducted for the construction of any school building within the boundaries of special studies zones if the costs of construction exceeds \$25,000.

Last Action: Chaptered by Secretary of State - Chapter 422, Statutes of 2001.

AB 1499 (Negrete McLeod) Teachers: Teaching As A Priority Block Grant.

Makes additions to the Teaching As A Priority (TAAP) Block Grant Program, authorizing school districts to utilize these funds to offer incentives in the form of reimbursements to cover the costs of examinations or coursework in order to recruit and retain credentialed teachers interested in attaining a Cross- cultural, Language, and Academic Development certificate or a Bilingual Cross-cultural, Language, and Academic Development certificate (BCLAD) certification.

Last Action: Chaptered by Secretary of State - Chapter 268, Statutes of 2001.

AB 1511 (Frommer) Public school facilities.

Allows school districts to purchase commercial buildings for use as school buildings as long as the buildings are in substantial compliance with the Field Act.

Last Action: Vetoed.

AB 1781 (Hertzberg) Instructional materials: funding.

Establishes the Instructional Materials Funding Realignment Program which would appropriate funds to school districts for instructional materials on the basis of an equal amount per student enrolled in K-12 in the prior year. The bill authorizes school districts to use funding from the Instructional Materials Fund to purchase supplemental materials and classroom library materials.

Last Action: Chaptered by Secretary of State - Chapter 802, Statutes of 2002.

AB 1793 (Migden) Education: physical education.

Requires the State Department of Education to monitor the number of hours of physical education instruction offered to pupils in grades 1 to 12, inclusive. The bill also requires the State Board of Education to adopt content standards for physical education.

Last Action: Chaptered by Secretary of State - Chapter 943, Statutes of 2002.

AB 1905 (Longville) Type 2 diabetes mellitus: pupil screening.

Establishes a three-year pilot program wherein one school district in Contra Costa, Merced, and San Bernardino screen every student for an elevated risk of developing type 2 diabetes mellitus (DM2), in conjunction with existing scoliosis screening programs. Each school district that participates in the pilot program shall report to the Legislature and the Governor by no later than June 30, 2006, regarding its findings concerning the extent to which the pupil population served by that school district is at risk of developing type 2 diabetes mellitus.

Last Action: Vetoed.

AB 1984 (Steinberg) After school programs: high school pupils.

Creates the 21st Century High School After School Safety and Enrichment for Teens program, for a minimum of 10 high schools, to create incentives for establishing locally driven after school enrichment programs including an academic assistance component.

Last Action: Chaptered by Secretary of State - Chapter 1025, Statutes of 2002.

AB 1994 (Reyes and Matthews) Charter schools: operation.

Restricts a charter school's location to the county of the chartering district and restricts the number of sites that a charter school may have to three if specific conditions exist. The bill also gives existing charter schools until at least June 30, 2005 to come into compliance with these location restrictions and requires that charter schools approve and file financial statements, as currently required of school districts and county offices of education, and makes other changes, as specified.

Last Action: Chaptered by Secretary of State - Chapter 1058, Statutes of 2002.

AB 2003 (Koretz) The Holocaust and Genocide.

Establishes, until January 1, 2005, the California Taskforce on Holocaust, Genocide, Human Rights and Tolerance Education and the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights and Tolerance. It encourages that survivor testimony be incorporated into the teaching of human rights, genocide, and the Holocaust and requires the Model Curriculum for Human Rights and Genocide be made available to schools in grades 7-12 as soon as funding is made available for that purpose.

Last Action: Chaptered by Secretary of State - Chapter 702, Statutes of 2002.

AB 2130 (Simitian) Supplemental Instruction.

Repeals the January 1, 2003, sunset of the supplemental instruction program that (a) requires school districts to offer supplemental instruction for pupils in grades 2 to 9 who have been recommended for retention or have been retained, and (b) authorizes school districts to offer a supplemental instruction program for pupils in grades 2 to 6 considered at-risk of retention.

Last Action: Vetoed.

AB 2444 (Dutra) State special schools and diagnostic centers: salaries.

Requires the Department of Personnel Administration to consider making salaries for teachers, specialists, and administrators of the state special schools and diagnostic centers competitive with the salaries of similarly qualified school teachers, specialists, and administrators who are employed by the encompassing school districts.

Last Action: Chaptered by Secretary of State - Chapter 1043, Statutes of 2002.

AB 2531 (Steinberg) School accountability: pupil performance.

Establishes the High School Pupil Success Act, administered by the Superintendent of Public Instruction and Office of the Secretary for Education in consultation with a specified partnership, to provide grants and consultation to eight school districts, to develop a reform and redesign plan for their high school systems to raise pupil achievement.

Last Action: Chaptered by Secretary of State - Chapter 1028, Statutes of 2002.

AB 2532 (Pacheco) Textbook weight.

Requires the State Board of Education, by July 1, 2004, to adopt maximum weight standards for textbooks used by students in elementary and secondary schools. The weight standards shall take into consideration the health risks to students who transport textbooks to and from school each day.

Last Action: Chaptered by Secretary of State - Chapter 1096, Statutes of 2002.

AB 2540 (Steinberg) Superintendent training program.

Establishes the Superintendent Training Program to provide incentive funding to local education agencies to train county and school district superintendents.

Last Action: Vetoed.

AB 2604 (Oropeza) Teacher training: cultural differences.

Requires the California Research Bureau, in consultation with the State Department of Education and the Commission on Teacher Credentialing, to contract with an independent evaluator to conduct a study of the availability and effectiveness of cross-cultural professional development programs for teachers and administrators in culturally diverse public schools.

Last Action: Vetoed.

AB 2912 (Florez) Charter schools: funding.

Allows school districts that have converted all of their schools to charter schools to continue to base their annual revenue limit funding on the greater of current or prior year average daily attendance.

Last Action: Chaptered by Secretary of State - Chapter 930, Statutes of 2002.

AB 2950 (Strom-Martin) Instructional strategies: subject matter projects.

Extends the sunset date for the California Subject Matter Project, administered by the University of California, from January 1, 2003 to January 1, 2008, and the due dates for several related reporting requirements.

Last Action: Chaptered by Secretary of State - Chapter 463, Statutes of 2002.

SB 19 (Escutia) Pupil health.

Establishes nutritional standards for foods sold in elementary and middle schools.

Last Action: Chaptered by Secretary of State - Chapter 913, Statutes of 2001.

SB 57 (Scott) Teacher credentialing.

Requires the Commission on Teacher Credentialing to waive specified requirements for teachers with a minimum of six years of experience at a private school, and implements a process whereby participants in teaching internship programs may receive their preliminary teaching credentials on an expedited basis.

Last Action: Chaptered by Secretary of State - Chapter 269, Statutes of 2001.

SB 166 (Poochigian) Pupil expulsion.

Adds possession of an explosive, by a student at school or at a school activity off school grounds, to the list of offenses that result in immediate suspension and recommended expulsion for one year.

Last Action: Chaptered by Secretary of State - Chapter 116, Statutes of 2001.

SB 388 (Alpert) School districts: sale or lease of surplus property.

Authorizes school districts to sell or lease Internet appliances or personal computers at a standard price to parents of pupils in the district, for the purpose of providing access to the school district's educational computer network.

Last Action: Chaptered by Secretary of State - Chapter 896, Statutes of 2001.

SB 740 (O'Connell) Charter schools.

Requires charter schools to request a determination of funding from the State Board of Education in order to receive funding for nonclassroom-based instruction. Creates the Charter School Facility Grant Program to provide assistance with facilities rent and lease costs for charter schools located in low-income areas. Requires the amount of funding to be allocated to a charter school on the basis of average daily attendance that is generated by pupils engaged in nonclassroom-based instruction.

Last Action: Chaptered by Secretary of State - Chapter 892, Statutes of 2001.

SB 982 (O'Connell) Special education.

Implements the settlement of special education mandated cost claims that resulted from state special education laws that exceeded federal education mandates. Appropriates \$100 million to school districts on an on-going basis and appropriates \$520 million for specified payments.

Last Action: Chaptered by Secretary of State - Chapter 203, Statutes of 2001.

SB 1051 (McPherson) Career technical education.

Requires the model curriculum standards for career technical education to contain specified components and requires the Superintendent of Public Instruction to develop, and the State Board of Education to adopt by June 1, 2004, a curriculum framework for career technical education.

Last Action: Vetoed

SB 1129 (O'Connell) School bonds: school facility improvement districts.

Permits school facilities improvement districts (consisting of a portion of the territory of a school district or community college district) to issue general obligation bonds with the approval of 55 percent of the voters rather, than the currently required 2/3 of the voters.

Last Action: Chaptered by Secretary of State - Chapter 132, Statutes of 2001.

SB 1250 (Vincent) Teachers: state basic skills proficiency test.

Exempts retired certificated employees who have taught for 15 years or more in a California public school and who have met other specified requirements, from having to take and pass the California Basic Education Skills Test as a condition of employment.

Last Action: Vetoed.

SB 1310 (Alpert) School accountability: sanctions.

Makes several substantive changes to the Public School Accountability Act related to the implementation of sanctions against schools that fail to meet their growth targets and do not achieve significant growth after participating in the Immediate Intervention/Underperforming Schools Program (II/USP). The II/USP consists of the public schools ranking in the lowest five deciles of the Academic Performance Index.

Last Action: Chaptered by Secretary of State - Chapter 1035, Statutes of 2002.

SB 1595 (Escutia) Pupils: English learners.

Expands notification to parents of English language learners of various issues related to their child's education, including their child's score on any English language development tests and their option to seek a waiver allowing bilingual education for their child. Also, requires that school districts take all reasonable steps to ensure that parents of pupils who speak a language other than English are properly notified in English and in their home language of certain rights and opportunities available to them. Further, encourages a school district with more than 50 pupils of limited English proficiency or English learners to establish a districtwide advisory committee on education programs and services for English learners.

Last Action: Chaptered by Secretary of State - Chapter 1037, Statutes of 2002.

SB 1655 (Scott) Teacher credentialing: administrative services credential.

Establishes alternative routes to the preliminary and professional administrative services credentials by allowing candidates to pass a test adopted by the Commission on Teacher Credentialing (CTC) in place of completion of a CTC-approved program or internship.

Last Action: Chaptered by Secretary of State - Chapter 225, Statutes of 2002.

SB 1656 (Scott) Teacher credentialing: registered sex offenders.

Requires the California Commission on Teacher Credentialing to suspend the credential of any credential holder who is required to register as a sex offender and would provide for the reinstatement or revocation of the certificate upon final disposition of the underlying conviction.

Last Action: Chaptered by Secretary of State - Chapter 471, Statutes of 2002.

SB 1671 (Escutia) Supplemental Instruction.

Continues the current authorization for supplemental instruction ("summer school") to pupils at risk of retention in grades 2 through 6 without imposing a cap on state reimbursement for such instruction that is otherwise scheduled to take effect January 1, 2003.

Last Action: Vetoed.

SB 1868 (Torlakson) Physical education.

Requires school districts to report the aggregate results of the statewide physical performance test administered by school districts. It also makes related minor changes including providing pupils with their individual results and allowing a pupil who has passed the state adopted physical performance test to receive an exemption from courses in physical education for two years any time during grades 10 to 12, inclusive.

Last Action: Chaptered by Secretary of State - Chapter 1166, Statutes of 2002.

SB 1934 (McPherson) Career technical education.

Requires the Superintendent of Public Instruction to develop a curriculum framework that offers a blueprint for implementation of career and technical education. Requires the State Board of Education to adopt the framework no later than June 1, 2006.

Last Action: Chaptered by Secretary of State - Chapter 989, Statutes of 2002.

SB 2083 (Polanco) English language learners.

Establishes the English Learner and Immigration Pupil Federal Conformity Act to ensure services provided to limited English proficient students conform with federal requirements, specifically the No Child Left Behind Act of 2001. The federal Act is designed to ensure that all pupils have reasonable access to educational opportunities that are necessary in order for pupils to achieve at high levels in English and in the other core curriculum areas of instruction. The bill also requires that each parent or guardian of a pupil enrolled in a public school receive notice of the assessment of his or her child's English language proficiency not later than 30 days after the start of the school year.

Last Action: Chaptered by Secretary of State - Chapter 1014, Statutes of 2002.

ELECTIONS, REAPPORTIONMENT & CONSTITUTIONAL AMENDMENTS

Honorable John Longville, Chair

Redistricting

The committee has jurisdiction over the once a decade responsibility of redrawing the state's legislative, congressional, and Board of Equalization district boundaries. This session, the committee dedicated itself to the most open and accessible redistricting process on record, gathering input at ten public hearings throughout the state. Through the use of various technologies, an unprecedented level of information was made available to the public about the redistricting process, and the new district lines.

Voting Technology

In January 2001, the Committee on Elections, Reapportionment and Constitutional Amendments held two days of hearings concerning voting systems, procedures and recounts in California. Readily apparent from the controversial presidential election were the limitations of punch card systems, especially the disproportionate rate at which undervotes occur on these systems. The committee passed legislation placing a \$200 million bond measure on the March 2002 ballot. This initiative, which was passed by voters, will make funds available to local election officials to purchase modern, up-to-date voting equipment. The committee also approved legislation that requires localities to provide new voting equipment to accommodate blind and visually impaired voters.

Voters' Rights

In the aftermath of the controversy surrounding the 2000 presidential election results in Florida, issues concerning voter rights were at the forefront of the committee's attention. Voter confidence was negatively impacted by the worries of thousands of California voters that their votes had not been properly counted. The committee considered and approved a number of proposals to help ensure that votes are properly counted, to provide voters with access to information about ballot measures, and to ensure that individuals who have a legal right to vote are given an equal opportunity to exercise that right.

Campaign Reform

Two years ago voters approved Proposition 34 that reformed the campaign finance system in California. This session, the committee passed legislation to tighten loopholes in the original legislation, and to address the growing problem of deceptive independent expenditure campaigns.

Absentee Voting

Some voters, because of physical impairments or their duties as a caregiver, are repeatedly unable to go to a polling place to vote. Current law affords these voters the opportunity to become

permanent absentee voters. However, many other voters could benefit from becoming a permanent absentee voter, such as those with long commutes, long work hours, family commitments, or those who often find themselves unable to go to the polls on election day. Recognizing this, the committee passed legislation that allows any California voter to apply for permanent absentee voter status.

According to the Secretary of State, many absentee voters do not return their ballots by mail. Instead they wait until Election Day to allow as much time as possible to consider the issues and vote their ballots. In order to ease absentee voters' ability to cast their ballot, the committee passed two measures to designate more people who can return absentee ballots on behalf of a voter.

Some of the most significant bills the committee considered during this session include:

AB 56 (Shelley) Voting Modernization Bond Act of 2002.

Enacts the Voting Modernization Bond Act of 2002 placing a \$200 million bond on the March primary ballot that, if approved by the voters, will assist counties in purchasing updated voting systems.

Last Action: Chaptered by Secretary of State - Chapter 902, Statutes of 2001.

Approved by voters at the March 2002 statewide election (Proposition 41).

AB 302 (Migden) Election ballots and voter pamphlets.

Allows a voter to have anyone residing in the same household return an absentee ballot. Current law authorizes only specified relatives of a voter to return an absentee ballot. This bill also requires the absentee ballot envelope to include the name and signature of the person returning the ballot.

Last Action: Chaptered by Secretary of State - Chapter 916, Statutes of 2001.

AB 632 (Cedillo) Redistricting: Senate and congressional districts.

Redraws California's State Senate and Congressional districts to insure balanced population according to the 2000 census.

Last Action: Chaptered by Secretary of State - Chapter 348, Statutes of 2001.

AB 696 (Longville) Online campaign disclosure.

Requires the Secretary of State to provide free access to Internet online forms and free software that can be used to satisfy requirements for online or electronic filing of campaign reports.

Last Action: Chaptered by Secretary of State - Chapter 917, Statutes of 2001.

AB 719 (Wiggins) Absentee voters.

Authorizes a voter who is employed in a position that requires the voter to work shifts of 24 consecutive hours or more to apply for permanent absent voter status.

Last Action: Chaptered by Secretary of State - Chapter 918, Statutes of 2001.

AB 733 (Longville) Elections: extension of deadlines.

Allows a court to extend a post-election statutory deadline when that deadline prevents the proper tabulation or recounting of ballots.

Last Action: Chaptered by Secretary of State - Chapter 919, Statutes of 2001.

AB 1520 (Shelley) Elections.

Authorizes any voter to apply for permanent absent voter status and increases the penalty for willfully interfering with the return of a completed absent voter ballot to imprisonment in a county jail for up to six months, or a fine of up to \$10,000, or both.

Last Action: Chaptered by Secretary of State - Chapter 922, Statutes of 2001.

AB 1714 (Canciamilla) Public resources: prohibited uses.

Extends the prohibitions against state officers using state resources for campaign activities to cover local officers using local resources and in doing so also extends the exemption from civil or criminal liability for incidental or minimal use.

Last Action: Chaptered by Secretary of State - Chapter 154, Statutes of 2002.

AB 2525 (Jackson) Accessible voting systems.

Requires each polling place to have at least one voting machine that is fully accessible to blind and visually impaired voters and provides them with access that is equivalent to that provided to voters who are not blind or visually impaired. This requirement shall only apply to newly purchased or upgraded voting systems and to the extent that funds are available from the Voting Modernization Bond Act of 2002, federal funds, or other non-General Fund sources.

Last Action: Chaptered by Secretary of State - Chapter 950, Statutes of 2002.

AB 2759 (Shelley) Voter registration.

Requires the governing board of each school district that maintains grade 12 to provide a voter registration card to each student with his or her diploma.

Last Action: Vetoed.

AB 2760 (Simitian) Elections: special elections.

Expedites special elections for filling congressional vacancies resulting from a natural or man-made catastrophe. Special elections invoked under this measure would consist of a single election occurring between 56 and 63 days after the Governor issues the proclamation calling the election. Existing special elections for congressional vacancies have both a primary and a general election and can take up to 119 days. The events of September 11 revealed the need for a means to quickly ensure that the House of Representatives can continue to function in the aftermath of a catastrophe.

Last Action: Chaptered by Secretary of State - Chapter 658, Statutes of 2002.

AB 2832 (Shelley) Voter information: privacy.

Provides that voter registration cards and initiative petitions include a warning that misuse of voter registration information and/or a voter's signature is a misdemeanor. It also requires any contract in which services are provided to a candidate or committee utilizing data from a voter file include a notice that use of voter registration information for commercial purposes is prohibited. The bill also mandates that petition circulators be made aware of existing prohibitions and requirements. These provisions all sunset on January 1, 2005.

Last Action: Chaptered by Secretary of State - Chapter 959, Statutes of 2002.

AB 3022 (Special Committee on Assembly Legislative Ethics) State agencies: ethics orientation.

Expands the number of persons required to attend an ethics training course to include all employees of a state agency who are required to file statements of economic interest. Requires attendance at the orientation course at least once during each consecutive period of 2 years.

Last Action: Chaptered by Secretary of State - Chapter 663, Statutes of 2002.

ACA 9 (Longville) Right to have vote counted.

Specifies that a voter who casts a vote in an election shall have that vote counted.

Last Action: Chaptered by Secretary of State - Res. Chapter 114, Statutes of 2001.

Approved by voters at the March 2000 statewide election (Proposition 43).

SB 34 (Burton) Political Reform Act of 1974.

Requires candidates and committees to report all contributions of \$5,000 or more received outside of an election cycle within 48 hours of receipt. Clarifies that a contributor may not give more than \$25,000 per year to a political party for the purpose of supporting a candidate.

Last Action: Chaptered by Secretary of State - Chapter 241, Statutes of 2001.

SB 802 (Committee on Elections and Reapportionment) Redistricting: Assembly and Board of Equalization districts.

Redraws California's State Assembly and Board of Equalization districts to ensure balanced population according to the 2000 census.

Last Action: Chaptered by Secretary of State - Chapter 349, Statutes of 2001.

SB 1412 (Romero) Voter registration: university and college campuses.

Enacts the Student Voter Registration Act of 2002 requiring the Trustees of the California State University and the board of governors of each community college district and requesting the Regents of the University of California to distribute voter registration forms to students at the beginning of each term. It also directs that voter registration forms be made available at central campus locations and that information on how to obtain voter registration forms be included in specified publications.

Last Action: Vetoed.

ENERGY COSTS & AVAILABILITY

Honorable Rod Wright, Chair

The Committee on Energy Costs and Availability considered a wide array of legislation in the First and Second Extraordinary Sessions. The key goals of the committee were to: (1) stabilize energy prices; (2) increase the supply of electricity; and (3) and reduce demand, especially during peak demand periods.

In the First Extraordinary Session, the committee passed legislation enabling the Department of Water Resources to assume power procurement role for the cash-strapped investor-owned utilities, and to sell revenue bonds to cover power purchase costs. Additionally, the committee approved bills intended to: reduce peak demand and reducing reliance on natural gas as a fuel source for generation; streamline the power plant siting process; and establish the California Consumer Power and Conservation Financing Authority. The committee passed several measures providing funds and low-interest loans for energy conservation and demand-reduction efforts.

In May of this year, the Legislature convened the Second Extraordinary Session, in which the committee considered several dozen measures, including legislation to review current baseline energy quantity calculations to accommodate various climatic zones and reaffirm the state's regulatory authority over in-state electric generation facilities. The committee also approved enabling legislation modifying the Memorandum of Understanding between the state and Southern California Edison that included a procurement plan and other intended to enable SCE to resume its function of supplying power to its customers, and to require utilities to adopt a Renewables Portfolio Standard.

The following are some of the key bills heard by the committee this session:

ABX1 1 (Keeley) Power exchanges: Department of Water Resources: electric power.

Authorizes the State Department of Water Resources (DWR) to enter into long-term power purchase contracts and to sell the power, directly or indirectly, to electric consumers in California. Authorizes DWR to sell revenue bonds; repeals a prohibition on electrical corporations purchasing electricity from any exchange other than the Power Exchange.

Last Action: Chaptered by Secretary of State - Chapter 4, Statutes of 2001-02 First Extraordinary Session.

ABX1 3 (Wright) California Alternate Rates for Energy or CARE program.

Requires the PUC to immediately develop and adopt regulations that will result in a significantly increased participation (or "penetration") rate for the California Alternate Rates for Energy (CARE) program.

Last Action: Chaptered by Secretary of State - Chapter 11, Statutes of 2001-02 First Extraordinary Session.

ABX1 5 (Keeley) Electrical restructuring: Oversight Board: Independent System Operator.

Requires that, within 90 days of the effective date of the bill, the existing Independent System Operator governing board be replaced by a 5-member independent governing board of directors appointed by the Governor.

Last Action: Chaptered by Secretary of State - Chapter 1, Statutes of 2001-02 First Extraordinary

Session.

ABX1 6 (Dutra) Electrical restructuring.

Prohibits the sale of any public utility-owned power plant until January 1, 2006.

Last Action: Chaptered by Secretary of State - Chapter 2, Statutes of 2001-02 First Extraordinary Session.

ABX1 29 (Kehoe) Energy.

Appropriates or reappropriates \$204.5 million from specified funds for a variety of new programs relating to energy conservation, efficiency, and distributed energy.

Last Action: Chaptered by Secretary of State - Chapter 8, Statutes of 2001-02 First Extraordinary Session.

ABX1 31 (Wright) Energy.

Provides, among other things, during any period of power service interruption, a facility may operate emergency power generating equipment to the extent necessary to protect equipment involved in the manufacturing process or to complete the process of products that would be irreparably damaged or destroyed as a result of the involuntary electrical power service interruption.

Last Action: Chaptered by Secretary of State - Chapter 13, Statutes of 2001-02 First Extraordinary Session.

ABX2 21 (Canciamilla) Public utilities: eminent domain: certificate of public convenience and necessity.

Requires the PUC, at the request of a public utility gas corporation exercising its power of eminent domain for a particular project, to include a local public hearing in the procedure for issuing the Certificate of Public Convenience and Necessity required for that project. Aims at stabilizing the price of natural gas by reducing constraints on the gas pipeline system by allowing privately owned companies devoted to natural gas storage to acquire property through eminent domain for public use in the same manner as the investor-owned utilities.

Last Action: Chaptered by Secretary of State - Chapter 14, Statutes of 2001-02 Second Extraordinary Session.

SBX1 5 (Sher) State energy projects.

Appropriates approximately \$640 million to various state agencies to implement energy efficiency programs and supplement existing energy efficiency programs.

Last Action: Chaptered by Secretary of State - Chapter 7, Statutes of 2001-02 First Extraordinary Session.

SBX1 6 (Burton) California Consumer Power and Conservation Financing Authority.

Creates a public power authority, which is authorized to issue up to \$5 billion in revenue bonds to finance electricity generation projects, natural gas transmission and storage projects, and energy efficiency programs, to ensure that the state has a sufficient supply of electricity that can be delivered at reasonable rates.

Last Action: Chaptered by Secretary of State - Chapter 10, Statutes of 2001-02 First Extraordinary Session.

SBX1 28 (Sher) Energy siting of power plants: unemployment insurance.

Contains a series of provisions intended to accommodate increased construction and operation of power plants. Also provides a 10-year waiver of “standby charges” for specified distributed generation installations.

Last Action: Chaptered by Secretary of State - Chapter 12, Statutes of 2001-02 First Extraordinary Session.

SBX1 31 (Burton) Electric power.

Authorizes the issuance of the bonds in an aggregate amount up to the greater of \$13.4 billion or the amount calculated by multiplying by a factor of 4 the annual revenues generated by the California Procurement Adjustment.

Last Action: Chaptered by Secretary of State - Chapter 9, Statutes of 2001-02 First Extraordinary Session.

SBX2 17 (Brulte) Income and bank and corporation tax credits: solar energy systems.

Provides a tax credit ranging from 5% to 7 1/2% for purchases and installation of solar energy systems.

Last Action: Chaptered by Secretary of State - Chapter 12, Statutes of 2001-02 Second Extraordinary Session.

SBX2 75 (Ortiz) Income taxes: deduction: interest.

Allows a tax deduction for interest paid on a loan financed through a public utility company to purchase energy efficient equipment and products for California residences.

Last Action: Chaptered by Secretary of State - Chapter 5, Statutes of 2001-02 Second Extraordinary Session.

SBX2 82 (Murray) Solar energy systems.

Requires the Department of General Services, in consultation with the California Energy Commission, to ensure that solar energy equipment is installed, where feasible, on all state buildings no later than January 1, 2007.

Last Action: Chaptered by Secretary of State - Chapter 10, Statutes of 2001-02 Second Extraordinary Session.

SBX2 85 (Burton) Electrical restructuring: rates.

Prohibits the California Public Utilities Commission from raising electrical rates back to the pre-10 percent rate reduction levels solely because the mandatory rate period has expired.

Last Action: Chaptered by Secretary of State - Chapter 7, Statutes of 2001-02 Second Extraordinary Session.

ENVIRONMENTAL SAFETY & TOXIC MATERIALS

Honorable Hannah-Beth Jackson, Chair

During the 2001-2002 Legislative Session, the Assembly Committee on Environmental Safety and Toxic Materials (ES&TM) considered measures including underground storage tanks, lead in schools, coastal water quality, hazardous waste management, the protection of drinking water sources, air pollution, handling of nuclear waste and the financing and redevelopment of contaminated properties.

The issues in ES&TM's jurisdiction largely correspond to the program and policies administered by the California Environmental Protection Agency (CalEPA) and its boards, departments, and offices. As in prior years, the Committee chair, Assemblymember Hannah-Beth Jackson, and its members have emphasized the need for protecting public and environmental health.

Some of the significant measures heard by the committee include:

Water Quality

Urban runoff and stormwater pollution remains the leading source of water pollution in California. Drinking water also is an issue of prime importance for Californians as contamination is increasingly detected in groundwater supplies. Coastal contamination and beach closures are of significant public concern.

ES&TM heard many measures in this area which increased the gathering and sharing of critical water quality data, improved monitoring and remediation programs and addressed new technologies to solve nonpoint source pollution.

AB 285 (Wayne) Sewage system overflows: reporting.

Establishes a statewide process for reporting and compiling information on the frequency and severity of sewer system discharges and overflows.

Last Action: Chaptered by Secretary of State - Chapter 498, Statutes of 2001.

AB 378 (Calderon) Water quality: cleanup.

Makes it a specific requirement of the Porter-Cologne Act that groundwater cleanup systems must, meet all the requirements of the water quality laws. Ensures that drinking water agencies and interests are consulted when a groundwater aquifer that affects them is being cleaned up.

Last Action: Chaptered by Secretary of State - Chapter 332, Statutes of 2001.

AB 560 (Jackson) Local used oil collection programs: storm water runoff pollution.

Allows a local used oil collection program to include provisions for the mitigation and collection of oil and oil products from stormwater run off, including devices to capture that stormwater runoff, such as the use of storm drain inlet filter devices.

Last Action: Chaptered by Secretary of State - Chapter 500, Statutes of 2001.

AB 599 (Liu) Groundwater contamination: quality monitoring program.

Creates the Groundwater Quality Monitoring Act of 2001 which requires the State Water Resources Control Board to consult with other responsible agencies to establish a comprehensive groundwater monitoring program that assesses each of the state's 390 groundwater basins and integrates existing groundwater monitoring programs.

Last Action: Chaptered by Secretary of State - Chapter 522, Statutes of 2001.

AB 639 (Nakano) Coastal waters: contamination.

Requires the State Water Resources Control Board to develop reliable, rapid and affordable diagnostic tests for evaluating coastal water quality.

Last Action: Chaptered by Secretary of State - Chapter 502, Statutes of 2001.

AB 1465 (Nation) Underground Storage Tank Cleanup Fund.

Requires a tester of underground storage tanks to have a license from the State Water Resources Control Board. Makes the definition more broad for tank cleanup to include fuel with small amounts of contaminants. Extends the timeline for filing and settling claims when there are commingled toxic plumes involved.

Last Action: Chaptered by Secretary of State - Chapter 154, Statutes of 2001.

AB 1972 (Frommer) Drinking water: reports regarding contaminants.

Requires The Office of Environmental Health Hazard Assessment to prepare, for inclusion in consumer confidence reports, a statement of health concerns associated with the ingestion in drinking water of any contaminant for which the office publishes a public health goal. Requires local water agencies, in their annual consumer confidence reports, to include a description of the potential for endocrine disruption, synergistic effects when combined with other contaminants in water, and adverse health effects on subgroups that comprise a meaningful portion of the general population or other subgroups that are identifiable as being at greater risk of adverse health effects than the general population when exposed to the contaminant in drinking water.

Last Action: Vetoed.

AB 2534 (Pavley) Watershed, Clean Beaches, and Water Quality Act.

Establishes, at the State Water Resources Control Board, programs of loans and grants to public agencies and nonprofit organizations to fund a wide spectrum of water quality improvement projects.

Last Action: Chaptered by Secretary of State - Chapter 727, Statutes of 2002.

SB 72 (Kuehl) Storm water.

Establishes a process by which municipalities and regulated industries must monitor storm water runoff within their jurisdictions and areas of responsibility.

Last Action: Chaptered by Secretary of State - Chapter 492, Statutes of 2001.

SB 351 (Ortiz) Public health: drinking water: hexavalent chromium standard.

Requires the Department of Health Services to adopt a drinking water standard for hexavalent chromium by January 1, 2004. Requires a report on the progress of developing the standard.

Last Action: Chaptered by Secretary of State - Chapter 602, Statutes of 2001.

SB 463 (Perata) Drinking water standards: arsenic.

Requires the development of new standards for arsenic in drinking water and requires the Office of Environmental Health Hazard Assessment to develop a public health goal for arsenic in drinking water by June 30, 2004.

Last Action: Chaptered by Secretary of State - Chapter 604, Statutes of 2001.

Brownfields

Brownfields are commonly understood to mean “abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.” Brownfields range from abandoned incinerators to closed gasoline stations to former electroplating facilities. Brownfield sites can be found in urban, suburban and rural areas. However, they tend to be disproportionately concentrated in distressed urban areas that are most often communities of color or lower income.

ES&TM considered several innovative measures dealing with brownfields this year to provide cleanup insurance, to permit local governments to compel the cleanup of certain contaminated sites and to encourage site remediation without lowering standards for protection of public and environmental health.

AB 254 (Frommer) Brownfields loans: CLEAN program.

Modifies the recently established loan and grant program for site investigation and cleanup of brownfield properties, Cleanup Loans and the Environmental Assistance to Neighborhoods (CLEAN) program.

Last Action: Chaptered by Secretary of State - Chapter 548, Statutes of 2001.

AB 1301 (Goldberg) School facilities: site contamination: Belmont Learning Complex.

Requires the LA Unified School District to prepare a remedial investigation/feasibility study for the Belmont Learning Complex in the City of LA and submit the study to the Department of Toxic Substances Control for review. Requires the completion and approval of a remedial investigation/feasibility study before the Belmont Learning Complex site may be used for any purpose.

Last Action: Chaptered by Secretary of State - Chapter 947, Statutes of 2001.

AB 2436 (Frommer) Land use restrictions: cleanup and abatement.

Requires the California Environmental Protection Agency, the California Integrated Waste Management Board, the State Water Resources Control Board, each regional water quality control board, and the Department of Toxic Substances Control to maintain a list of environmentally restricted properties and to display the list on the agency's Web site.

Last Action: Chaptered by Secretary of State - Chapter 592, Statutes of 2002.

SB 32 (Escutia) Contaminated property: restoration.

Authorizes local agencies to require the investigation and cleanup of certain small-sized urban brownfields sites in their jurisdictions and establishes a pilot program at CalEPA for assessing the usefulness of providing general contaminant cleanup level numbers so that parties considering cleaning up a site can better estimate potential costs of doing so.

Last Action: Chaptered by Secretary of State - Chapter 764, Statutes of 2001.

SB 468 (Sher) Hazardous materials response actions: brownfields: insurance.

Establishes a program at the CalEPA for providing low-cost, state-subsidized environmental insurance primarily to persons addressing the rehabilitation of urban brownfields and participating in the current Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program.

Last Action: Chaptered by Secretary of State - Chapter 549, Statutes of 2001.

SB 1684 (Polanco) Redevelopment: hazardous substance releases.

Repeals the January 1, 2004, sunset date on the provisions of the redevelopment agency cleanup law that grants redevelopment agencies cleanup authority, provides immunity from liability if a cleanup is carried out properly and allows recovery of costs from responsible parties.

Last Action: Chaptered by Secretary of State - Chapter 1004, Statutes of 2002.

Hazardous Waste Management

The Department of Toxic Substances Control (DTSC) is responsible for regulating the generation, transport, and off-site management of hazardous wastes. In carrying out its mandate, DTSC relies on cooperation among state agencies and local and regional governments. The State Water Resources Control Board (SWRCB) and the Air Resources Board (ARB) have the primary authority to enforce requirements designed to protect water quality and control air emissions respectively. Local governments make the key decisions regarding the siting of hazardous waste facilities.

During the 2001-2002 Legislative Session, the Committee on ES&TM deliberated on a variety of measures addressing hazardous wastes, including measures addressing the safe transportation and storage or disposal of hazardous wastes, the control of lead in soil used for road construction, enforcement reforms and the use of new technologies for used oil management.

AB 414 (Dutra) Hazardous waste disposal: lead: nickel: copper.

Restores the ability of the State Department of Transportation (CalTrans) and other public transportation entities to be granted variances by the Department of Toxic Substances Control to reuse lead-contaminated soils in highway improvement projects.

Last Action: Chaptered by Secretary of State - Chapter 861, Statutes of 2001.

AB 711 (Committee on Environmental Safety and Toxic Materials) Administrative orders.

Amends the process used by local enforcement agencies to carry out corrective action orders and changes the allocation of administrative penalties collected.

Last Action: Chaptered by Secretary of State - Chapter 663, Statutes of 2001.

AB 1259 (Wiggins) Hazardous waste facilities permits: suspension.

Requires the Department of Toxic Substances Control to suspend or deny issuance of a permit to operate a hazardous waste facility if the facility's owner or operator fails to timely pay related state fees, reimbursement agreements and bills.

Last Action: Chaptered by Secretary of State - Chapter 461, Statutes of 2001.

AB 2214 (Keeley) Low-level radioactive waste disposal facility.

Prohibits the Department of Health Services (DHS) from issuing or renewing a license for the disposal of low-level radioactive waste (LLRW) unless (1) DHS determines that the siting design, and operation of the facility complies with specified federal regulations; and (2) the design and construction of the facility meets specified requirements. The bill requires DHS to establish a fee for the issuance or renewal of a license to dispose of LLRW. It would also prohibit a facility from disposing of LLRW using shallow land burial and prohibits the proposed Ward Valley radioactive waste disposal site from serving as the state's facility for purposes of the Southwestern LLRW Disposal Compact.

Last Action: Chaptered by Secretary of State - Chapter 513, Statutes of 2002.

AB 2481 (Frommer) Underground storage tanks: unified program agencies: Porter-Cologne Water Quality Control Act: administrative civil penalties: drinking water: enforcement.

An agency omnibus measure that updates underground storage tank programs, certified unified program agencies and enforcement provisions under the Porter-Cologne Water Quality Control Act. An agency omnibus measure that updates underground storage tank programs, certified unified program agencies and enforcement provisions under the Porter-Cologne Water Quality Control Act. Makes a new class of leaking tanks eligible for reimbursement for cleanup costs, re-enacts a program to assist public water systems to cope with the effects of MTBE contamination of water supplies, and establishes new enforcement procedures for the Certified Unified Program Agency program.

Last Action: Chaptered by Secretary of State - Chapter 999, Statutes of 2002.

SB 633 (Sher) Hazardous and solid waste: mercury.

Establishes the California Mercury Reduction Act of 2001 that bans the manufacture, sale or supply of mercury fever thermometers and of novelty items (e.g., toys, games, figurines, and shoes) and other products containing mercury.

Last Action: Chaptered by Secretary of State - Chapter 656, Statutes of 2001.

Environmental Health & School Safety

Children face a greater vulnerability to environmental hazards than adults and require special protection from many contaminants. Because children are more profoundly affected by any contaminants in the water they drink, the food they eat, and the air they breathe, it is essential to have greater protections devised for their health than standards that have typically been devised for adults.

As a consequence of these concerns, the committee heard several measures to secure safe living and learning environments for children.

AB 947 (Jackson) Pesticides: schoolsites.

Provides protection for children and others from accidental exposure to pesticides drifting over schools. Authorizes county agricultural commissioners (CAC) to regulate the agricultural use of any pesticide for agricultural production within one-quarter mile of a school with respect to the timing, notification, and method of application. Increases the amount of civil penalties a CAC may impose on serious violations of the pesticide laws from up to \$1000 to up to \$5000.

Last Action: Chaptered by Secretary of State - Chapter 457, Statutes of 2002.

AB 2356 (Keeley) Solid waste: compost contamination.

Requires the Department of Pesticide Regulation (DPR) to either adopt regulations restricting the use of a herbicide, cancel the registration or refuse to register a herbicide, that may result in residues in compost at levels that are likely to cause damage to plants. DPR must state in writing the reasons why it is not necessary to take any of these actions.

Last Action: Chaptered by Secretary of State - Chapter 591, Statutes of 2002.

SB 702 (Escutia) Chronic disease: environmental determinants.

Declares legislative intent to establish an Environmental Health Surveillance System to track the relationship between chronic diseases and environmental exposures in accordance with the recommendations of a working group established by the Division of Environmental and Occupational Disease Control in accordance with the recommendations of the working group created by the bill.

Last Action: Chaptered by Secretary of State - Chapter 538, Statutes of 2001.

GOVERNMENTAL ORGANIZATION

Honorable Jerome E. Horton, Chair

The Assembly Governmental Organization Committee, under the strong chairmanship of Assemblymember Jerome Horton, was successful in passing legislation to limit the access and exposure of children to tobacco. Aimed at eliminating illegal cigarette sales to minors over the Internet, AB 1830 (Frommer) prohibits the sale of tobacco products to minors through the U.S. Postal Service or other package delivery service, and imposes age-verification requirements on tobacco product sellers or distributors. AB 1867 (Vargas), a follow up to last year's AB 188 (Vargas), prohibits smoking or disposal of tobacco-related waste within 25 feet of a playground or tot lot sandbox area. Finally, AB 2205 (Koretz) doubles the penalty on black market cigarettes, and uses the funds generated by the increased penalty to fund local programs intended to crack down on such sales.

The Committee also passed important emergency services-related legislation. AB 2002 (Alquist) directs the Office of Emergency Services (OES) to establish a search and rescue emergency response advisory committee. AB 2018 (Nakano) creates the Public Safety Communication Advisory Board in order to develop and implement a statewide integrated public safety communication system. Finally, AB 2409 (Jackson) requires OES to conduct a study of the emergency notification systems at California television and radio broadcast stations to determine the ability of these stations to notify the public of emergency situations 24 hours a day.

Some of the most significant bills the committee considered this session are:

AB 66 (Wesson) California Gambling Control Commission: appropriation.

Appropriates \$219,000 from the Gambling Control Fund for support of the California Gambling Control Commission in augmentation of the Budget Act of 2000. Appropriates \$1,131,000 from the Indian Gaming Special Distribution Fund for support of the California Gambling Control Commission. Authorizes the Controller to loan the Indian Gaming Special Distribution Fund \$1,131,000 from the General Fund.

Last Action: Chaptered by Secretary of State - Chapter 23, Statutes of 2001.

AB 188 (Vargas) Playgrounds: smoking.

Prohibits the smoking or disposal of cigarettes and other tobacco-related products within a playground or "tot lot sandbox area." A violation would be an infraction.

Last Action: Chaptered by Secretary of State - Chapter 150, Statutes of 2001.

AB 471 (Hertzberg) Horse racing.

Establishes a racetrack backstretch employee collective bargaining process and requires the California Horse Racing Board (CHRB) to adopt housing standards for employee housing at racetracks. Authorizes the CHRB to license and regulate wagers that are now placed illegally by telephone or over the Internet with out-of-state or offshore betting systems.

Last Action: Chaptered by Secretary of State - Chapter 198, Statutes of 2001.

AB 624 (Oropeza) Alcoholic beverages: licenses.

Extends from 30 days to 40 days the time the local governments have to review applications for alcoholic beverage licenses in high crime districts.

Last Action: Chaptered by Secretary of State - Chapter 931, Statutes of 2001.

AB 1229 (Frommer) Gambling: prohibited online gambling games.

Prohibits any person to operate any prohibited online gambling game. Provides that every person who operates or offers for play any prohibited online gambling game to any person physically located in this state at the time of the transaction is guilty of a misdemeanor.

Last Action: Held in the Senate.

AB 1298 (Wesson) Alcoholic beverage control: licenses: fees.

Increases the annual license fees imposed upon manufacturers, distributors and retailers of alcoholic beverages. The increase is phased in over a three-year period.

Last Action: Chaptered by Secretary of State - Chapter 488, Statutes of 2001.

AB 1749 (Longville) Juneteenth National Freedom Day.

Requires the Governor to proclaim the 3rd Saturday in June each year as "Juneteenth National Freedom Day: A day of observance," and would urge the people of California to join in celebrating this day to honor and reflect on the significant role that African-Americans have played in the history of the United States and how they have enriched society through their steadfast commitment to promoting brotherhood and equality.

Last Action: Chaptered by Secretary of State - Chapter 155, Statutes of 2002.

AB 1830 (Frommer) Tobacco products: sales to minors.

Prohibits the distribution or sale of tobacco products directly or indirectly to any person under the age of 18 years through the U.S. Postal Service or through any other public or private postal or package delivery service at locations, including, but not limited to, public mailboxes and mailbox stores.

Last Action: Chaptered by Secretary of State - Chapter 685, Statutes of 2002.

AB 1867 (Vargas) Smoking: playgrounds.

Expands the prohibited smoking and disposal area within 25 feet of a playground or a tot lot sandbox area and makes a violation of these provisions punishable by a \$250 fine.

Last Action: Chaptered by Secretary of State - Chapter 527, Statutes of 2002.

AB 2002 (Alquist) Urban search and rescue emergency response advisory committee.

Requires the Seismic Safety Commission, in consultation with the Director of Emergency Services, to establish an urban search and rescue emergency response advisory committee to prepare and submit to the commission chairperson a strategy, plan, and recommendations for addressing the resource needs of emergency urban search and rescue units.

Last Action: Chaptered by Secretary of State - Chapter 460, Statutes of 2002.

AB 2018 (Nakano) Public safety: communication system.

Enacts the Public Safety Communication Act of 2002 and establishes 12-member advisory board, which shall have primary responsibility for developing and implementing a statewide integrated public safety communication system.

Last Action: Chaptered by Secretary of State - Chapter 1091, Statutes of 2002.

AB 2205 (Koretz) Tobacco products: prevention of sales of untaxed cigarettes.

Creates an additional penalty for possessing cigarettes for which cigarette tax has not been paid and uses penalty revenues to fund a grant program in the Office of Criminal Justice Planning. This penalty sunsets January 1, 2006.

Last Action: Chaptered by Secretary of State - Chapter 687, Statutes of 2002.

AB 2334 (Nakano) Alcoholic beverages.

Authorizes the Department of Alcoholic Beverage Control to revoke or suspend an alcoholic beverage license, if the licensee, or the agent or employee of the licensee, violates a specified provision of law relating to the furnishing of drug paraphernalia.

Last Action: Chaptered by Secretary of State - Chapter 1027, Statutes of 2002.

AB 2406 (Horton) Disaster assistance.

Renames the Natural Disaster Assistance Act", administered by the Governor's Office of Emergency Services, as the "Disaster Assistance Act", and expands the authorized uses of Natural Disaster Assistance Funds to include disasters caused by terrorism or epidemic.

Last Action: Chaptered by Secretary of State - Chapter 461, Statutes of 2002.

AB 2409 (Jackson) Emergency notification systems.

Requires that the Office of Emergency Services conduct a study of the emergency notification systems at California television and radio broadcast stations to determine the ability of these stations to notify the public of emergency situations 24 hours a day.

Last Action: Chaptered by Secretary of State - Chapter 855, Statutes of 2002.

AB 2965 (Wiggins) Gaming: cheating.

Makes unlawful various acts of cheating in the playing of gambling games or wagering events.

Last Action: Chaptered by Secretary of State - Chapter 624, Statutes of 2002.

SB 1350 (McPherson) Emergency services: terrorism.

Creates the Emergency Response Training Advisory Committee comprised of management and labor representatives from state and local law enforcement, fire service, emergency medical and port security to recommend criteria for terrorism awareness curriculum.

Last Action: Chaptered by Secretary of State - Chapter 612, Statutes of 2002.

SUBCOMMITTEE ON VETERANS AFFAIRS - 2001

Honorable Ed Chavez, Chair

AB 120 (Havice) Discrimination: California National Guard and State Military Reserve personnel: loans and financing.

Prohibits a person who provides lending or financing from discriminating against any person based on that person's membership in the military or naval forces of California or the United States of America with respect to the terms of a loan or financing, including the finance charge.

Last Action: Chaptered by Secretary of State - Chapter 299, Statutes of 2001.

AB 494 (Cardoza) Veterans homes.

Extends the operation of the Governor's Commission on Veterans' Homes from January 1, 2002, to January 1, 2003, and requires state agencies to provide staff assistance to the Governor's Commission on Veterans Homes.

Last Action: Chaptered by Secretary of State - Chapter 645, Statutes of 2001.

AB 527 (Kehoe) Special interest license plates and decals: veterans' organizations.

Reduces the renewal fee for replacement decals used on special interest license plates sponsored by veterans' organizations, from \$35 to \$10, effective July 1, 2002.

Last Action: Chaptered by Secretary of State - Chapter 201, Statutes of 2001.

AB 748 (Chavez) Cal-Vet program: financial audit.

Requires the Bureau of State Audits to conduct an analysis of the effectiveness of the Cal-Vet program. The bill also requires the Bureau of State Audits to report to the Governor and the Legislature on the fiscal status of that program on or before January 1, 2004.

Last Action: Vetoed.

AB 1060 (Negrete McLeod) Department of Veterans Affairs: homeless veterans.

Requires the State Department of Veterans Affairs (DVA), in collaboration with the State Department of Health Services, to study the status of homeless veterans in California and to establish a proposal on how to provide adequate housing for California's homeless veterans. On or before March 15, 2002, DVA shall report the findings of the study to the Legislature and the Governor.

Last Action: Chaptered by Secretary of State - Chapter 265, Statutes of 2001.

HEALTH

Honorable Helen Thomson, Chair

Under the strong leadership of its chair, Assemblymember Helen Thomson, the Assembly Committee on Health addressed several major policy issues during the 2001-2002 Legislative Session, providing access to health care coverage to Californians who are considered by health maintenance organizations (HMO's) to be "medically uninsurable," establishing an Assisted Outpatient Treatment Program for individuals with severe mental illness who refuse treatment, enhancing the consumer protection role of state regulatory boards (such as the Medical Board of California), ensuring that Medicare beneficiaries continue to have access to discounted prescription drugs and guaranteeing that women purchasing individual health insurance coverage from HMO's receive the same coverage for maternity care as women who are covered under employer-based health care insurance.

The following are some of the key bills considered by the committee this session:

AB 59 (Cedillo) Health programs: eligibility.

Establishes a statewide pilot project, effective July 1, 2002, to expedite Medi-Cal enrollment for children receiving free lunches through the National School Lunch Program. Authorizes immediate Medi-Cal enrollment of children whose family income is less than 100 percent of the federal poverty level (FPL) and requires simplified additional information to determine if children in families over 100 percent of FPL are eligible for either Medi-Cal or the Healthy Families Program.

Last Action: Chaptered by Secretary of State - Chapter 894, Statutes of 2001.

AB 269 (Correa) Professional and vocational licensing boards, commissions and bureaus.

Requires that protection of the public be the highest priority for the various boards and bureaus in the Department of Consumer Affairs (such as the Medical Board of California) in exercising licensing, regulatory and disciplinary functions and requires, whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public to be paramount.

Last Action: Chaptered by Secretary of State - Chapter 107, Statutes of 2002.

AB 487 (Aroner) Medical professionals: conduct.

Requires physicians to complete mandatory continuing education on pain management and the treatment of terminally ill and dying patients.

Last Action: Chaptered by Secretary of State - Chapter 518, Statutes of 2001.

AB 564 (Lowenthal) Dentistry: oral conscious sedation.

Makes it unprofessional conduct for a dentist to fail to notify the Dental Board in writing within seven days of any patient that was removed to a hospital or emergency care center for medical treatment for more than 24 hours as a result of the administration of oral conscious sedation, conscious sedation, general anesthesia or any dental treatment, unless the removal to a hospital or emergency care center is normal or expected based on the underlying dental condition.

Last Action: Chaptered by Secretary of State - Chapter 308, Statutes of 2001.

AB 687 (Thomson and Hertzberg) EMS: trauma care services.

Requires any local emergency medical services agency that has an established emergency medical services program but has not implemented a trauma care system to implement such a system by January 1, 2005.

Last Actions: Vetoed.

AB 809 (Salinas) Automated drug delivery systems.

Authorizes specified clinics that are licensed by the Pharmacy Board to operate automated drug delivery systems that are remotely controlled by a pharmacist in order to provide drugs and drug consultation to their patients.

Last Action: Chaptered by Secretary of State - Chapter 310, Statutes of 2001.

AB 828 (Cohn) Long-term care facilities.

Establishes a centralized consumer response unit in the Department of Health Services to expedite consumer inquiries and complaints about long-term care facilities.

Last Action: Chaptered by Secretary of State - Chapter 680, Statutes of 2001.

AB 982 (Firebaugh) Health care.

Enacts the California Medical and Dental Student Loan Repayment Program of 2002, which would provide conditional warrants for repayment of loans to medical and dental students who agree to practice in underserved areas. If a student qualifies and goes on to become a licensed provider practicing in an underserved area, he or she would be reimbursed for his or her student loans. The bill also transfers, beginning July 1, 2003, \$3.45 million from the Contingent Fund of the Medical Board of California, to be appropriated over a three-year period to the newly created Medically Underserved Account to fund the loan repayment program.

Last Action: Chaptered by Secretary of State - Chapter 1131, Statutes of 2002.

AB 1075 (Shelley) Skilled nursing facilities: staffing ratios.

Requires the Department of Health Services to convert existing staffing levels required at skilled nursing facilities from hours-of-care to staff-to-patient ratios by August 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 684, Statutes of 2001.

AB 1279 (Reyes) Rural health.

Appropriates \$2 million from the General Fund to the Office of Statewide Health Planning and Development to establish a competitive grants program to increase access to rural health providers during evenings and weekends. Requires the Department of Health Services to conduct an evaluation of the status of rural hospitals.

Last Action: Vetoed.

AB 1401 (Thomson) Health Benefit Coverage.

Increases access to health insurance coverage for individuals who are unable to obtain coverage in the individual health insurance market by standardizing and providing rate protection to individuals purchasing conversion health policies, providing uniform 36-month coverage under COBRA and Cal-COBRA, and creating a four-year pilot program to expand access to coverage in the Major Risk Medical Insurance Program for medically uninsurable Californians.

Last Action: Chaptered by Secretary of State - Chapter 794, Statutes of 2002.

AB 1421 (Thomson) Mental health: involuntary treatment.

Enacts the Assisted Outpatient Treatment Demonstration Project Act of 2002, which would create an assisted outpatient treatment program for any person who is suffering from a mental disorder and meets certain criteria. Under the program, counties could provide court-ordered outpatient treatment services when the court finds that a person's recent history of hospitalization or violent behavior, coupled with noncompliance with voluntary treatment, indicate the person is likely to become dangerous or gravely disabled without the court-ordered outpatient treatment. The program would operate in counties that choose to provide the services.

Last Action: Chaptered by Secretary of State - Chapter 1017, Statutes of 2002.

AB 1422 (Thomson) Mental health advocacy.

Establishes, until January 1, 2008, the 13-member California Mental Health Advocacy Commission to promote improved access to mental health services and combat stigma and discrimination against people with mental illness. Establishes human resource development programs for professionals and other mental health service providers. The bill would be funded entirely through private resources.

Last Action: Vetoed.

AB 1643 (Negrete McLeod) Long-term care facilities: temporary staff.

Requires employment agencies to screen temporary employees before referring them to long-term health care facilities.

Last Action: Chaptered by Secretary of State - Chapter 326, Statutes of 2001.

AB 1996 (Thomson, Nation and Robert Pacheco) University of California: analysis of legislation mandating healthcare benefits and services.

Requests the University of California's (UC's) assessment and preparation of a written analysis on the public health, medical and financial impacts of proposed legislation mandating that additional benefits or services be included in the basic health insurance benefit package. A report on the bill's implementation must be submitted by UC to the Legislature and the Governor by January 1, 2006. Funding would come from fees imposed on health care service plans and health insurers, not to exceed a total of \$2 million.

Last Action: Chaptered by Secretary of State - Chapter 795, Statutes of 2002.

AB 2085 (Corbett) Health care.

Requires every health care service plan to maintain a Web site and, effective July 1, 2003, would require a health care service plan to allow subscribers and enrollees to submit grievances to the plan online through its Web site.

Last Action: Chaptered by Secretary of State - Chapter 796, Statutes of 2002.

AB 2194 (Jackson) Obstetrics and gynecology residency requirements

Requires residency programs in obstetrics and gynecology to be geared toward the development of competence in the provision of ambulatory primary health care for women, including, but not limited to, training in the performance of abortion services.

Last Action: Chaptered by Secretary of State - Chapter 384, Statutes of 2002.

AB 2179 (Cohn) Health care coverage.

Requires the Department of Managed Health Care (DMHC) to adopt, by January 1, 2004, regulations to ensure that health plan enrollees have access to needed health care services in a timely manner. The bill also requires DMHC to report to the Legislature on March 1, 2003, and on March 1, 2004, regarding the progress toward the bill's implementation, and requires DMHC to review, every three years, information regarding compliance with the standards developed under this bill and to make recommendations for changes that further protect enrollees.

Last Action: Chaptered by Secretary of State - Chapter 797, Statutes of 2002.

AB 2197 (Koretz) Medi-Cal: benefits for persons infected with HIV who are not disabled.

Requires the Department of Health Services to expand eligibility for Medi-Cal to include in Medi-Cal managed care plans nondisabled persons with HIV enrolled in the AIDS Drug Assistance Program who would be eligible for Medi-Cal if they were disabled. Funding would come from cost savings generated by voluntary enrollment into Medi-Cal managed care of persons who are disabled as a result of AIDS, and who are either receiving Medi-Cal benefits on a fee-for-service basis or who are eligible to receive Medi-Cal benefits, and DHS is prohibited from enrolling new eligibles until there are sufficient savings to fund them.

Last Action: Chaptered by Secretary of State - Chapter 684, Statutes of 2002.

SB 37 (Speier) Health insurance: coverage for clinical trials.

Requires health care service plans and certain disability insurers to provide coverage for all routine patient care costs relative to the treatment of an enrollee or insured diagnosed with cancer and accepted in a clinical trial, if the enrollee's treating physician recommends participation.

Last Action: Chaptered by Secretary of State - Chapter 172, Statutes of 2001.

SB 108 (Speier) Organ and tissue donor registry.

Enacts the Organ and Tissue Donor Registry Act of 2001. Requires the Department of Motor Vehicles to provide information and a standardized form to be completed by driver's license and identification card applicants who want to be organ donors.

Last Action: Chaptered by Secretary of State - Chapter 740, Statutes of 2001.

SB 253 (Ortiz) Stem cells: human tissue: research.

Declares state policy that stem cell research is permitted and that full consideration of the ethical and medical implications of this research be given, but not involve early stage embryos after the development of the primitive streak and shall be permitted by an approved institutional review board. Authorizes donation of a human embryo pursuant to specific requirements and prohibits the purchase or sale of embryonic or cadaveric fetal tissue for research. Also requires any individual receiving fertility treatments to be given information to allow the individual to make an informed and voluntary choice regarding the disposition of human embryos remaining following the treatments.

Last Action: Chaptered by Secretary of State - Chapter 789, Statutes of 2002.

SB 336 (Ortiz) Health care programs: eligibility.

Makes it simpler to apply for health care coverage under the Medi-Cal and Healthy Families programs by limiting the independent eligibility documentation requirements to those required by federal law. Additionally, the bill changes the eligibility criteria for two-parent families by counting the income of only the principal wage earner, rather than the entire family.

Last Action: Vetoed.

SB 406 (Ortiz) Bioterrorism preparedness and other public health threats: federal funding.

Establishes procedures and requirements governing the allocation and expenditure of federal funds provided to local health jurisdictions to prevent and respond to bioterrorist attacks and other public health emergencies, and requires health jurisdictions that receive such funds to deposit them in a special Public Health Preparedness Trust Fund. The bill also specifies that, beginning with the 2003-04 fiscal year, federal funds received by the Department of Health Services (DHS) for bioterrorism preparedness and emergency response are subject to appropriation in the Budget Act. For expenditure until August 30, 2004, the bill appropriates to DHS \$50.8 million from the Federal Trust Fund.

Last Action: Chaptered by Secretary of State - Chapter 393, Statutes of 2002.

SB 833 (Ortiz) Medi-Cal program: eligibility.

Seeks to eliminate disparities between single-parent households and two-parent households in the Medi-Cal eligibility determination by revising the definition of an “unemployed parent” for purposes of Medi-Cal eligibility.

Last Action: Vetoed.

SB 842 (Speier) Health care: prescription drug benefits.

Specifies that current law requiring health care service plans to include prescription drug benefits is not intended to limit the Department of Managed Health Care's (DMHC) authority to regulate the plans' provision of these benefits. Requires DMHC to develop a regulation outlining the standards to be used in reviewing a health plan's request for approval of its proposed copayment, deductible, exclusion or limitation on prescription drug benefits and requires the DMHC to adopt regulations describing the standards used to review the requests. Finally, the bill specifies that nonformulary prescription drugs include any drug for which an enrollee's copay or out-of-pocket costs are different than the copay for a formulary prescription drug.

Last Action: Chaptered by Secretary of State - Chapter 791, Statutes of 2002.

SB 1080 (Bowen) Medical care providers: gynecological cancers.

Requires a physician to provide a patient with a standardized summary on gynecological cancers during the annual gynecological examination and specifies that a violation of this requirement is subject to a citation and fine upon the second or subsequent complaint. Also adds language specifying that a violation of this provision is subject to a citation and fine upon a second or subsequent complaint.

Last Action: Chaptered by Secretary of State - Chapter 730, Statutes of 2001.

SB 1169 (Alpert) Pharmacy.

Authorizes a pharmacist, who has received specified training, to initiate emergency contraception drug therapy, i.e., “morning after pill,” in accordance with standardized protocols developed by the pharmacist and an authorized prescriber acting within his or her scope of practice. However, the pharmacist is required to provide the recipient with a standardized fact sheet that includes, but is not limited to, the indications for use of the drug, the appropriate method for using the drug, the need for medical follow-up, and other appropriate information. Requires that the fact sheet be developed by the Board of Pharmacy in consultation with the Department of Health Services, the American College of Obstetricians and Gynecologists, the California Pharmacists Association and other health care organizations.

Last Action: Chaptered by Secretary of State - Chapter 900, Statutes of 2001.

SB 1230 (Alpert and Ortiz) Human cloning.

Enacts recommendations made in the January 2002 report by the California Advisory Committee on Human Cloning by permanently banning human reproductive cloning (existing law bans human reproductive cloning until January 1, 2003), defining the terms of prohibition on human reproductive cloning, and establishing an advisory committee to advise the Governor and Legislature on cloning and human biotechnology issues.

Last Action: Chaptered by Secretary of State - Chapter 821, Statutes of 2002.

SB 1278 (Speier) Pharmacies: prescription benefits: Medicare beneficiaries

Repeals the January 1, 2003, sunset date on a program that prohibits pharmacies from charging Medicare beneficiaries more than the Medi-Cal reimbursement rate for prescription drugs plus an electronic transmission charge. Requires the Department of Health Services to publicize the program and conduct outreach on the Golden Bear Program, which provides discounted prescription drugs for Medicare patients.

Last Action: Chaptered by Secretary of State - Chapter 542, Statutes of 2002.

SB 1411 (Speier) Health care coverage: maternity services.

Enacts the Maternity Parity Act, which requires maternity coverage to be comparable to coverage for other covered medical conditions for individuals purchasing individual health insurance coverage from health maintenance organizations (HMO's). Prohibits HMO's from imposing co-payments and deductibles for inpatient and ambulatory care maternity services that exceed the most common amount charged for inpatient services provided for other covered medical conditions for individuals purchasing HMO coverage.

Last Action: Chaptered by Secretary of State - Chapter 880, Statutes of 2002.

SB 1950 (Figueroa) Healing Arts.

Enhances the consumer protection role of the Medical Board of California (MBC) by requiring the public disclosure of physician malpractice settlements involving more than \$30,000, by adding two public members to the MBC, by requiring an independent enforcement monitor to be appointed to evaluate MBC's enforcement system, and by establishing a priority system for the investigation of complaints against physicians.

Last Action: Chaptered by Secretary of State - Chapter 1085, Statutes of 2002.

HIGHER EDUCATION

Honorable Elaine Alquist, Chair

The Committee on Higher Education considered measures relating to college facilities finance; the availability of specific courses and programs; high school and community outreach; labor-management relations; college governance; student and faculty housing; financial aid availability; the expansion of teacher preparation; and the improved transfer of community college students to four-year universities.

Aside from the individual pieces of legislation heard by the committee, Members took a special interest in several issues that were the topic of informational hearings. These include the following: the impact of the energy crisis on higher education; the implementation of the University of California's Eligibility in the Local Context (ELC) program; the shortcomings of the implementation of the new Cal Grant program; the lack of available student and faculty housing; campus violence against women; International Studies after the events of September 11th; and the expansion of computer technologies through the Digital California Project.

The following are some of the key bills the committee has considered during the 2001-2002 Legislative Session:

AB 16 (Hertzberg) Public Education Facilities Bond Acts of 2002 and 2004.

Enacts the Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004, and specifies procedures for the expenditure of the funds.

Last Action: Chaptered by Secretary of State - Chapter 33, Statutes of 2002.

AB 87 (Jackson) Community colleges: work site-based training.

Requires the Chancellor of the California Community Colleges to award grants to community college districts for the purpose of developing curricula and pilot programs that provide training to licensed nurses. Appropriates \$5 million from the General Fund to the CCCs Chancellor to allocate as grants to local CCC districts and for enrollment growth.

Last Action: Chaptered by Secretary of State - Chapter 514, Statutes of 2001.

AB 540 (Firebaugh) Public postsecondary education: exemption from nonresident tuition.

Qualifies long-term California residents, regardless of citizenship status, for lower "resident" fee payments at the California Community Colleges and the California State University.

Last Action: Chaptered by Secretary of State - Chapter 814, Statutes of 2001.

AB 652 (Horton) University of California: Health Professions Education and Outreach.

Requests the Regents of the University of California to report to the Legislature concerning UC's efforts to recruit students to its medical, dental and optometric schools from underserved areas, and requests the UC to use existing resources to establish outreach and exposure programs.

Last Action: Chaptered by Secretary of State - Chapter 459, Statutes of 2001.

AB 935 (Hertzberg) Public Interest Attorney Loan Repayment Program.

Establishes the Public Interest Attorney Loan Repayment Program to repay educational loans for participating licensed California attorneys who practice or agree to practice public interest law in this state.

Last Action: Chaptered by Secretary of State - Chapter 881, Statutes of 2001.

AB 1245 (Alquist) Community colleges: temporary and part-time faculty.

Requires that the issue of earning and retaining of annual reappointment rights for temporary and part-time faculty members be a “mandatory subject of negotiation” in the collective bargaining process.

Last Action: Chaptered by Secretary of State - Chapter 850, Statutes of 2001.

AB 1381 (Florez) Governor's Scholarship Programs.

Allows a pupil to be eligible for a Governor's Scholars award or Governor's Distinguished Mathematics and Science Scholars award if the pupil has been enrolled at a California public school for at least 110 days of the school year in which the test is administered and at least 110 days of the school year immediately preceding the administration of the test.

Last Action: Chaptered by Secretary of State - Chapter 1055, Statutes of 2002.

AB 1611 (Keeley) Higher education housing: California Educational Facilities Authority.

Authorizes the California Educational Facilities Authority to enter into agreements with nonprofit entities to finance the cost of constructing student, faculty, and staff housing near the campuses of the University of California, the Hastings College of Law, the California State University, the California Community Colleges, and participating private colleges.

Last Action: Chaptered by Secretary of State - Chapter 569, Statutes of 2001.

AB 1746 (Liu) Post-secondary education: tuition and fees.

Prohibits California public colleges and universities (UC, CSU, CCCs and the Hastings College of the Law) from charging for mandatory systemwide tuition or fees to any surviving dependent of any individual killed in the September 11, 2001 attacks

Last Action: Chaptered by Secretary of State - Chapter 450, Statutes of 2002.

AB 1759 (Wesson) California Memorial Scholarship Program.

Creates the California Memorial Scholarship Program which would be administered by the California Student Aid Commission to award scholarships and need based grants to surviving spouses and dependents of California residents killed in the terrorist attacks of Sept.11, 2001.

Last Action: Chaptered by Secretary of State - Chapter 38, Statutes of 2002.

AB 1788 (Reyes) University of California: cardcheck agreements.

Requires a service contractor of the UC to enter into a cardcheck agreement with any labor organization that requests the agreement for the purpose of seeking to represent the service contractor's employees.

Last Action: Chaptered by Secretary of State - Chapter 1040, Statutes of 2002.

AB 2314 (Thomson) Nursing education

Requires, by September 1, 2005, the CCC Chancellor to encourage community college districts, and the CSU Chancellor to require CSU campuses to standardize all nursing program prerequisites on a statewide basis.

Last Action: Chaptered by Secretary of State - Chapter 1093, Statutes of 2002.

AB 2533 (Jackson) Postsecondary education: campus crime reporting.

Requires the California Postsecondary Education Commission (CPEC) to conduct random audits of at least .5% of the annual security reports prepared by California institutions of higher education and requires that CPEC provide a web link to each institution's criminal statistics information.

Last Action: Chaptered by Secretary of State - Chapter 804, Statutes of 2002.

AB 2583 (Chu) Postsecondary education: sexual assault.

Establishes the California Campus Sexual Assault Task Force, to be administered by the Office of Criminal Justice Planning, to gather and review information regarding sexual assault issues on California higher education campuses and to report to the Legislature by April 1, 2004.

Last Action: Chaptered by Secretary of State - Chapter 1066, Statutes of 2002.

ACR 21 (Firebaugh) University of California regents.

Requests the Regents of the University of California to repeal SP-1, a measure banning affirmative action policies in admissions, by the end of the 2000-01 academic year.

Last Action: Chaptered by Secretary of State - Res. Chapter 41, Statutes of 2001

SB 735 (Committee on Budget & Fiscal Review) Education.

Appropriates \$40 million in Proposition 98 reversion funds for revenue limit equalization, \$98 million in Proposition 98 funds for community college scheduled maintenance and instructional equipment, and \$14.9 million in bond funds for special community college projects.

Last Action: Chaptered by Secretary of State - Chapter 891, Statutes of 2001.

SB 1624 (Romero) Educational facilities: California Educational Facilities Authority.

Authorizes the California Educational Facilities Authority (CEFA) to finance the cost of constructing faculty housing. Additionally authorizes the CEFA to make up to a total of \$2 million in grants in aid to private colleges to provide a program of academic assistance to high school pupils attending a qualified school in accordance with prescribed selection criteria.

Last Action: Chaptered by Secretary of State - Chapter 1081, Statutes of 2002.

HOUSING & COMMUNITY DEVELOPMENT

Honorable Alan Lowenthal, Chair

The 2001-02 Legislative Session saw state revenues dramatically decrease, which threatened important programs created to address California's acute affordable housing shortage.

Housing prices continue to rise and affordable rental housing continues to be elusive, in many parts of California, despite decreasing stock values and the end of the so-called "dot com" boom.

Last session, with the leadership of Assemblymember Alan Lowenthal, Chair of the Assembly Committee on Housing and Community Development, the Legislature made the largest direct investment in affordable housing in the history of California. Unfortunately, current economic conditions do not allow a similar funding approach for those programs.

During the last two years the Assembly Committee on Housing and Community Development focused on housing policy, with bills seeking to encourage housing development and removal of barriers to housing development. During the 2001-02 session the Legislature passed the \$2.1 billion Housing and Emergency Shelter Trust Fund Act of 2002 ("Housing Bond"), the largest housing bond ever in the history of California.

The Assembly Housing Committee also formed two working groups, during the 2001-02 session. The first group sought review and amendment of California Redevelopment Law with respect to affordable housing requirements and the extension of the life of project areas. The second group studied the issue of housing element reform and enforcement. These two working groups helped craft legislation affecting redevelopment and housing element reform that came before the Assembly Housing Committee.

Other significant legislation addressed issues of substandard housing, notice requirements for termination of month to month tenancies, universal design standards for disabled housing as well as local housing trust funds.

The following are some of the key bills the Assembly Committee on Housing and Community Development considered during the 2001-02 Legislative Session:

AB 369 (Dutra) Affordable housing development projects.

Strengthens the state affordable housing law by requiring a court to award attorney's fees to an affordable housing developer that has had a project unfairly denied by a local agency.

Last Action: Chaptered by Secretary of State - Chapter 237, Statutes of 2001.

AB 637 (Lowenthal) Redevelopment.

Eliminates the January 1, 2002, sunset date on the inclusionary housing provisions that require 15 percent of all housing built within a redevelopment project area to be made available to low and moderate income households.

Last Action: Chaptered by Secretary of State - Chapter 738, Statutes of 2001.

AB 1112 (Goldberg) Substandard residential rental property: owner registration.

Requires a multiunit residential property owner to register specified personal information with the Los Angeles County Board of Supervisors in the event that property, located in Los Angeles County, is deemed substandard.

Last Action: Chaptered by Secretary of State - Chapter 487, Statutes of 2001.

AB 1170 (Firebaugh) Housing: downpayment assistance.

Creates the Building Equity and Growth in Neighborhoods program within the Department of Housing and Community Development. This program will provide grants to local governments for down payment assistance loans to low or moderate income homebuyers who purchase a home in a new development that has received one or more local government development incentives.

Last Action: Chaptered by Secretary of State - Chapter 724, Statutes of 2002.

AB 1284 (Lowenthal) Housing Opportunity districts.

Enacts the Housing Development Incentive Act of 2002 to promote, encourage, and facilitate adequate housing development and transit oriented public improvements to provide affordable housing and job access to California's growing workforce. Allows cities and counties to create housing opportunity districts, governed either by an appointed body or by the city council or the county board of supervisors ex officio.

Last Action: Held in the Senate.

AB 1467 (Kehoe) Housing.

Permits a court to order the appointment of a nonprofit organization or community development corporation as a receiver for a substandard building. Allows a receiver, with court approval, to record a lien against the property to recover the costs of any services performed as a receiver, and streamlines the code enforcement process for substandard vacant single-family dwellings in Los Angeles and San Diego.

Last Action: Chaptered by Secretary of State - Chapter 594, Statutes of 2001.

AB 1574 (Lowenthal) Energy conservation: building standards: inspections.

Authorizes the California Energy Commission to develop measures to enhance energy efficiency for homes that were built prior to the establishment of the current energy efficiency standards.

Last Action: Chaptered by Secretary of State - Chapter 773, Statutes of 2001.

AB 1611 (Keeley) Higher education housing: California Educational Facilities Authority.

Authorizes the California Educational Facilities Authority to enter into agreements with nonprofit entities to finance the cost of constructing student, faculty, and staff housing near the campuses of the University of California, the Hastings College of Law, the California State University, the California Community Colleges, and participating private colleges.

Last Action: Chaptered by Secretary of State - Chapter 569, Statutes of 2001.

AB 1866 (Wright) Housing: density bonuses.

Requires local governments to use a ministerial process for approving second units and prohibits local governments from applying any development standard that would have the effect of precluding an affordable housing development from receiving a density bonus.

Last Action: Chaptered by Secretary of State - Chapter 1062, Statutes of 2002.

AB 1891 (Diaz) Housing trust funds.

Establishes a matching grant program within the Department of Housing and Community Development to provide additional resources for both existing and new local housing trust funds that are dedicated to the creation of rental housing affordable to lower-income households. Becomes operative only if the Housing and Emergency Shelter Trust Fund Act of 2002, as proposed by Senate Bill 1227 of the 2001-02 Regular Session, is enacted by the voters.

Last Action: Chaptered by Secretary of State - Chapter 725, Statutes of 2002.

AB 2289 (Kehoe) Common interest developments.

Provides due process protections for homeowners in common interest developments by requiring associations to give a 30-day notice of intent to record a lien against property and requiring associations to meet with homeowners to discuss payment plans for overdue assessments.

Last Action: Chaptered by Secretary of State - Chapter 1111, Statutes of 2002.

AB 2787 (Aroner) Building standards: universal design.

Requires the Department of Housing and Community Development (HCD), by December 31, 2003, to develop guidelines and at least one model ordinance for new construction and home modifications that are consistent with principles of universal design. HCD is required to consult with relevant state agencies and to solicit information from stakeholders. The guidelines or model ordinance shall not significantly impact housing cost or affordability.

Last Action: Chaptered by Secretary of State - Chapter 726, Statutes of 2002.

SB 211 (Torlakson) Redevelopment: indebtedness.

Allows, under specified circumstances, redevelopment agencies to extend deadlines for effectiveness of the redevelopment plan and for receiving tax increment revenue.

Last Action: Chaptered by Secretary of State - Chapter 741, Statutes of 2001.

SB 372 (Dunn) Preservation interim loan programs.

Creates preservation interim loan programs to be administered by the Department of Housing and Community Development for the purpose of preserving existing low-income rental housing.

Last Action: Chaptered by Secretary of State - Chapter 721, Statutes of 2002.

SB 423 (Torlakson) Workforce Housing Reward Program.

Establishes the Workforce Housing Reward Program to be administered by the Department of Housing and Community Development to provide local assistance for the construction or acquisition of capital assets to cities, counties, and cities and counties that provide land use approval to affordable housing developments. Becomes operative only upon approval by the voters of the Housing and Emergency Shelter Trust Fund Act of 2002.

Last Action: Chaptered by Secretary of State - Chapter 482, Statutes of 2002.

SB 581 (Alarcon) Residential rental property: owner registration.

Requires a private owner of residential rental property to submit and maintain identifying information regarding the property with the local building official in the county or city, unless no code enforcement actions have been registered against the property in the past three years.

Last Action: Vetoed.

SB 1227 (Burton) Housing and Emergency Shelter Trust Fund Act of 2002.

Enacts the Housing and Emergency Shelter Trust Fund Act of 2002, which will authorize the issuance of a \$2.1 billion general obligation bond for state housing programs upon approval by the voters in the November 5, 2002, statewide general election.

Last Action: Chaptered by Secretary of State - Chapter 26, Statutes of 2002.

SB 1403 (Kuehl) Landlord-tenant.

Requires an owner of a residential dwelling giving notice to a tenant of his or her intent to terminate the dwelling to give notice at least 60 days prior to termination or give notice at least 30 days prior to termination if the tenant has resided in the dwelling for less than one year.

Last Action: Chaptered by Secretary of State - Chapter 301, Statutes of 2002.

SB 1654 (Burton) Governor's office: homelessness.

Establishes the Office of Homelessness in the Governor's Office to coordinate the efficient use of existing state resources to improve the management and oversight of all state homeless programs.

Last Action: Vetoed.

HUMAN SERVICES

Honorable Dion Aroner, Chair

The Human Services Committee has jurisdiction over issues related to the state's most vulnerable populations and the programs designed to support and assist them. This session, the committee's work focused primarily on the plight of children in the foster care system, on-going implementation of welfare reform and expanding services and resources for disabled Californians.

Abused and Neglected Children

More than 100,000 children who were abused and neglected by their parents are now living in the state's foster care system. Many languish for years, shuffling from placement to placement, and then leave with poor academic backgrounds and little chance of future success. This session, the committee helped develop a package of bills, introduced by the Assembly Democratic leadership, designed to enhance and reform the foster care system. Among the bills in the package were measures to establish a bill of rights for foster youth, support youth when they "age out" of the foster care system, strengthen the role of the foster care ombudsman's office, reduce excessively high social worker caseloads, increase support for foster parents, and develop outcome-based accountability standards for the state and counties. Other bills before the committee this session focused on coordinating state oversight of foster children and increasing services to foster youth as they enter their high school years.

AB 333 (Wright) Foster care.

Requires each visit by a social worker or probation officer to a foster youth to include a private discussion between the youth and the worker, held out of the immediate vicinity of foster care providers. Prohibits the contents of the discussion from being disclosed to the foster parent or group home staff, except under certain circumstances.

Last Action: Chaptered by Secretary of State - Chapter 675, Statutes of 2001.

AB 364 (Aroner) Child welfare services.

States legislative intent that the Human Resources Workgroup of the Child Welfare Services Stakeholders Group include in its next planned report the core strategies needed to establish minimum caseload standards under the redesigned child welfare services system. Also states legislative intent that the Human Resources Workgroup make recommendations for implementing the new caseload standards.

Last Action: Chaptered by Secretary of State - Chapter 635, Statutes of 2002.

AB 538 (Cardoza) Adoption.

Expedites the adoption process by requiring a paternity action to be consolidated with a petition for termination of parental rights and allowing families adopting foreign-born children to use the delayed registration procedure during re-adoption proceedings.

Last Action: Chaptered by Secretary of State - Chapter 353, Statutes of 2001.

AB 636 (Steinberg) Child welfare services.

Enacts the Child Welfare System Improvement and Accountability Act of 2001 to improve outcomes for children in California's child welfare system.

Last Action: Chaptered by Secretary of State - Chapter 678, Statutes of 2001.

AB 899 (Liu) Rights of foster children.

Specifies the rights of children in foster care, and requires social workers and foster care facilities to provide information regarding those rights.

Last Action: Chaptered by Secretary of State - Chapter 683, Statutes of 2001.

AB 1261 (Migden) Independent Living Program.

Increases from \$5,000 to \$10,000 the amount of cash savings that foster youth who are 16 years of age or older may retain.

Last Action: Chaptered by Secretary of State - Chapter 686, Statutes of 2001.

AB 1979 (Steinberg) Independent Living Program.

Requires the Department of Social Services to adopt emergency regulations specifying county standards for the Independent Living Program for foster youth.

Last Action: Chaptered by Secretary of State - Chapter 271, Statutes of 2002.

AB 2294 (Liu) Foster care.

Requires the State Foster Care Ombudsperson to be appointed for a term of four years rather than two, and permits the Director of Social Services to reappoint the Ombudsperson. Also requires the Ombudsperson to submit a report to the Legislature at least every two years, including a summary of major trends and issues and detailed recommendations for the system-wide improvement of the child welfare system.

Last Action: Chaptered by Secretary of State - Chapter 1160, Statutes of 2002.

AB 2651 (Chu) Foster youth

Declares legislative intent and state policy regarding the rights of youth in foster care, and expresses legislative intent that the Foster Care Ombudsperson address complaints brought by all foster youth, including those who are gay, lesbian, bisexual, or transgender. Also requires the Department of Social Services to facilitate the expansion of foster parent recruitment targeting persons who are gay, lesbian, bisexual, or transgender to promote the placement of gay, lesbian, bisexual, or transgender foster youth with trained and culturally competent families of the same cultural background.

Last Action: Vetoed.

SB 841 (Alpert) Foster care: Early Start to Emancipation Programs.

Requires the Department of Social Services to provide technical assistance to counties electing to offer specified support services to teenage foster children.

Last Action: Chaptered by Secretary of State - Chapter 694, Statutes of 2001.

Increasing Self-Sufficiency of Low-Income Families

Since the CalWORKs welfare reform program was enacted in 1997, counties have worked hard to implement welfare-to-work plans for all families receiving public assistance. The experience of the program's first five years resulted in several bills this session designed to lead to greater long-term self-sufficiency by increasing recipients' access to education, reliable transportation, and supported work experience, and to address the particular needs of families in which a parent is fleeing domestic violence or struggling to overcome drug or alcohol addiction. Other bills focused on the interaction between CalWORKs and related programs, such as Food Stamps and Medi-Cal. These measures were designed to simplify the administration of these programs and increase their effectiveness.

AB 144 (Cedillo) Public social services: eligibility: vehicles.

Modifies the valuation of vehicles in determining a family's eligibility for CalWORKs and Food Stamps.

Last Action: Vetoed.

AB 313 (Goldberg) Women, infants, and children's nutrition.

Effective, July 1, 2002, permits Special Supplemental Nutrition Program for Women, Infants and Children (WIC) program coupons to be redeemed at any authorized vendor. Requires the Department of Health Services, to the extent feasible, to print specified information on WIC coupons in a form readable by optical scanning technology.

Last Action: Chaptered by Secretary of State - Chapter 842, Statutes of 2001.

AB 1692 (Committee on Human Services) CalWORKs eligibility: work activities.

Clarifies current law to give counties the option of offering the U.S. Department of Labor Welfare-to-Work grant program to recipients in the community service phase of CalWORKs.

Last Action: Chaptered by Secretary of State - Chapter 652, Statutes of 2001.

AB 2386 (Keeley) CalWORKs: aid eligibility: extension.

Requires counties to provide an extension of up to 12 months to the CalWORKs welfare-to-work time limit to a recipient enrolled in county-approved educational, vocational, or job training program if a qualified professional has determined that the recipient has a physical, mental or emotional learning disability that prevents full-time participation in, or completion of, the county-approved program despite the recipient's full-time attendance.

Last Action: Vetoed.

AJR 53 (Aroner) Temporary Assistance for Needy Families Program.

Urges federal policymakers, in reauthorizing the Temporary Assistance for Needy Families (TANF) program, to adjust the TANF block grant for inflation, maintain state flexibility in spending the funds, recognize states' need to provide ongoing supportive services, provide a safety net for vulnerable children and design the most effective ways to move people from public assistance to work.

Last Action: Chaptered by Secretary of State - Res. Chapter 195, Statutes of 2002.

SB 493 (Sher) Health programs.

Implements a simplified eligibility process as part of the Food Stamps program to expedite the enrollment of individuals and families in Medi-Cal and Healthy Families.

Last Action: Chaptered by Secretary of State - Chapter 897, Statutes of 2001.

SB 1264 (Alpert) Aid for dependent children.

Makes several revisions to the California Work, Opportunity, and Responsibility to Kids (CalWORKs) program relating to dependent children and education to remove impediments and barriers that currently inhibit the academic achievement of CalWORKs children, including prohibiting from being considered as income and resources for purposes of determining eligibility certain types of payments to the family, such as income from college work-study programs or awards or prizes for academic achievement.

Last Action: Chaptered by Secretary of State - Chapter 439, Statutes of 2002.

SJR 42 (Escutia) Child care and development block grant.

Memorializes Congress to increase and reauthorize funding for the Child Care and Development Block Grant.

Last Action: Chaptered by Secretary of State - Res. Chapter 109, Statutes of 2002.

Disabled Californians

As the population ages, and increasing numbers of individuals find themselves living with severe disabilities, the state faces a growing need to meet their needs in the community, rather than tucking them away in institutions. This session, the committee heard bills designed to integrate more fully into community life individuals with disabilities, help them to achieve greater independence, and improve the community-based care they receive. Several bills focused specifically on the developmentally disabled population, whose numbers are growing at a disproportionate rate, but whose services appear to be diminishing due to inadequate funding and rising costs in many parts of the state.

AB 524 (Aroner) Personal care services: advance payment.

Authorizes advance payments to eligible recipients in the Medi-Cal Personal Care Services Program, subject to the availability of federal financial participation through Medicaid. Requires the Department of Health Services to submit a federal waiver request for this purpose.

Last Action: Vetoed.

AB 950 (Wright) Developmentally disabled persons: community care facilities: direct care staff training.

Extends the deadlines for completion of training and testing required of all direct care staff employed in licensed community care facilities (for the disabled) that receive regional center funding and prohibits those who have not complied with the training requirements from providing direct care, unless the requirements are waived by the Department of Developmental Services.

Last Action: Chaptered by Secretary of State - Chapter 193, Statutes of 2001.

AB 1191 (Longville) Developmental disabilities.

Establishes a process for resolving disputes between regional centers and local public agencies.

Last Action: Vetoed.

AB 1533 (Migden) Rehabilitation Services.

Revises the Department of Rehabilitation's Transportation Loan Guarantee Program, which assists physically disabled individuals and the parents of physically disabled children to purchase vans, automobiles, and other special equipment to facilitate transportation, by, among other things, increasing from \$20,000 to \$35,000 the maximum amount of individual loans under the program.

Last Action: Chaptered by Secretary of State - Chapter 193, Statutes of 2001.

AB 1693 (Committee on Human Services) Developmental disabilities: service providers: rates.

Requires the Department of Developmental Services to develop, by July 1, 2002, a mechanism for adjusting regional center reimbursement rates in geographic areas with a high cost of living.

Last Action: Vetoed.

SB 87 (Soto) Blind Vendor Revolving Loan Fund.

Establishes the Blind Vendor Revolving Loan Fund to provide loans to existing blind vendors for the purchase of inventory and equipment.

Last Action: Chaptered by Secretary of State - Chapter 327, Statutes of 2001.

SB 511 (Alpert) Children with disabilities

Authorizes grants to establish Family Empowerment Centers on Disability that will provide information and support services to families of children and young adults with disabilities.

Last Action: Chaptered by Secretary of State - Chapter 690, Statues of 2001.

SB 1190 (Committee on Health and Human Services) Assistive dog allowance.

Provides recipients of Social Security Disability Insurance an additional \$15 per month food allowance for guide, signal or other types of service dogs.

Last Action: Chaptered by Secretary of State - Chapter 452, Statues of 2001.

SB 1804 (Escutia) Residential care facilities for the elderly: criminal record checks.

Effective August 1, 2003, requires skilled nursing facilities and other intermediate care facilities, other than those operated by the state, to secure the same criminal background checks as similar facilities and expands the types of people that need background checks in order to work in these facilities. The bill also makes it unlawful for an employer to deduct from the wages earned by an employee, or require an employee to pay, the fees associated with their criminal background check or clearance. The bill contains an administrative appeals process for those whose applications for licensure or renewal are denied.

Last Action: Vetoed.

INSURANCE

Honorable Thomas M. Calderon, Chair

One key area of concern to the Committee on Insurance is to reform the workers' compensation system and increase benefits to injured workers. The committee held four information hearings at the beginning of this legislative session to address these concerns and determine appropriate legislative action. Testimony from various stakeholders, including severely injured workers, demonstrated the need for significant reform and substantial benefit increases. To that end, AB 749 (Calderon), which, among other things, provides injured employees with increased workers' compensation benefits, was introduced and enacted in early 2002.

In addition to its focus on reforming the workers' compensation system from an employee-employer perspective, the committee has also explored in-depth the state of the workers' compensation insurance industry in California. The committee held an informational hearing in February 2001 and again in August 2002 to discuss this issue. Specifically, the financial condition of the State Compensation Insurance Fund was at issue.

The committee also addressed issues regarding the California Earthquake Authority (CEA). In particular, the committee had an information hearing regarding the solvency and survivability of the CEA. In addition, the committee awaited and reviewed the results of the CEA-commissioned Tillinghast-Towers Perrin Report, which made preliminary findings regarding the sustainability of the CEA. Upon release of this report in July 2001, it was determined that a subsequent report was necessary to further address outstanding concerns.

Another area of committee concern is continued oversight and reform of the Department of Insurance. The committee heard bills this session that sought to place restrictions on travel and gift reimbursements and payments made to the Insurance Commissioner.

Finally, the committee also addressed concerns related to unemployment insurance, consumer protection, and rebuttable injury presumptions under the workers' compensation law.

The following are the key bills that the committee considered this session.

AB 196 (Correa) Public employees: medical conditions.

Eliminates the requirement that certain law enforcement officers, firefighters, and probation employees bear the burden of proof in establishing a blood-borne infectious disease presumption for the purpose of receiving disability retirement benefits, and expands the scope of the term "injury" to include a blood-borne infectious disease for the purpose of receiving workers' compensation benefits.

Last Action: Chaptered by Secretary of State - Chapter 833, Statutes of 2001.

AB 663 (Vargas) Workers' compensation: lifeguards.

Creates a disputable presumption that skin cancer developing or manifesting itself with respect to specified lifeguards arises out of and in the course of employment.

Last Action: Chaptered by Secretary of State - Chapter 846, Statutes of 2001.

AB 749 (Calderon) Workers' compensation: administration and benefits.

Increases workers' compensation benefits and establishes reforms in the administration of the workers' compensation system.

Last Action: Chaptered by Secretary of State - Chapter 6, Statutes of 2002.

AB 931 (Frommer) Insurance Commissioner: restriction on travel payments or reimbursements.

Prohibits the Insurance Commissioner (IC) from accepting, using, or in any way benefiting from, payments or reimbursements made to the Department of Insurance for travel from a single source that is subject to regulation by the IC or from a private attorney or law firm that is under contract to represent either the department or the IC in his or her official capacity.

Last Action: Chaptered by Secretary of State - Chapter 336, Statutes of 2001.

AB 1177 (Calderon) Workers' compensation: official medical fee schedule.

Authorizes a health care provider or licensed health facility and a contracting agent, employer, or carrier to contract for reimbursement rates that are different from the official medical fee schedule.

Last Action: Chaptered by Secretary of State - Chapter 252, Statutes of 2001.

AB 1178 (Calderon) Insurance.

Imposes the requirements of the Senior Insurance Law on direct-marketed health insurance products, and also extends by 90 days the July 1, 2001, deadline for compliance with long-term care insurance law.

Last Action: Chaptered by Secretary of State - Chapter 51, Statutes of 2001.

AB 1179 (Calderon) Workers' Compensation: billing or utilization review procedures.

Requires an employer or insurer to make available to its workers' compensation bill reviewer all documentation submitted with the billing by a physician or medical provider.

Last Action: Chaptered by Secretary of State - Chapter 240, Statutes of 2001.

AB 1183 (Calderon) California Insurance Guarantee Association.

Allows the California Insurance Guarantee Association (CIGA) to increase the premium paid by member companies from the current 1 percent of net direct written premium to 2 percent thereby triggering, upon CIGA board approval, an increase in the workers' compensation premium, and would require new audits of CIGA for a time period of one year.

Last Action: Chaptered by Secretary of State - Chapter 296, Statutes of 2001.

AB 1193 (Steinberg) Insurers: hate crimes: cancellation or refusal to renew.

Prohibits insurers from canceling or refusing to renew a policy held by a religious or educational organization or other nonprofit solely on the basis that the policyholder has filed one or more claims for damages resulting from a hate crime.

Last Action: Chaptered by Secretary of State - Chapter 253, Statutes of 2001.

AB 1820 (Strom-Martin) Workers' compensation: meningitis: tuberculosis: firefighters.

Extends the tuberculosis and meningitis rebuttable presumptions for workers' compensation insurance to volunteer and partly paid firefighters.

Last Action: Vetoed.

AB 1926 (Horton) Discrimination: housing.

Provides that any property owner of a property subject to an unlawfully restrictive covenant based on race, color, religion, sex, familial status, marital status, disability, national origin, or ancestry may submit for recordation a document striking out the unlawfully restrictive covenant. Provides that a county recorder may record the document, if all other requirements of recordation are met, or may direct the person to obtain a determination from the Department of Fair Employment & Housing.

Last Action: Chaptered by Secretary of State - Chapter 803, Statutes of 2002.

AB 1985 (Calderon) Workers' Compensation: state rate supervision.

Clarifies the authority of the Insurance Commissioner to regulate workers' compensation insurers' solvency. Revises workers' comp insurance rate provisions to delete the prohibition against the use of rates that impair or threaten the solvency of an insurer and to require, instead, that rates be adequate to cover an insurer's losses and expenses. Applies the same criteria currently used to determine whether rates tend to impair or threaten the solvency of any insurer to determine whether rates are adequate to cover an insurer's losses and expenses.

Last Action: Chaptered by Secretary of State - Chapter 873, Statutes of 2002.

AB 2007 (Calderon) California Insurance Guarantee Association.

Provides that the premium payments collected by the CA Insurance Guarantee Association (CIGA) from its members in an amount sufficient to pay covered claims of an insolvent insurer and associated adjustment costs is not to be more than two percent per year, starting on January 1, 2003, until December 31, 2007, and thereafter is to be one percent per year. Expands the CIGA Board of Governors from nine to 13 members, including one public member appointed by the President Pro Tempore of the Senate, one public member appointed by the Speaker of the Assembly, one business member appointed by the Insurance Commissioner (IC), and one labor member appointed by the IC.

Last Action: Chaptered by Secretary of State - Chapter 431, Statutes of 2002.

SB 40 (Alarcon) Unemployment insurance: benefits: compensation.

Increases maximum weekly Unemployment Insurance benefits from \$230 incrementally to \$450 by 2005; provides an alternate base of earnings upon which benefits can be calculated; grants benefits to employees who engage in a strike due to a reduction in wages or who are locked out during a labor dispute; and clarifies that penalty amounts given to employees under the federal plant closure law are not considered wages for purposes of benefit reduction.

Last Action: Chaptered by Secretary of State - Chapter 409, Statutes of 2001.

SB 71 (Burton) Workers' compensation: administration and benefits.

Increases workers' compensation benefits and reforms the administration of the workers' compensation system.

Last Action: Vetoed.

SB 81 (Speier) Motor vehicle insurance.

Permits an injured insured owner of a motor vehicle to recover damages under the uninsured motorist coverage of his/her policy, if struck by his/her own insured car while it was being operated without permission in the course of criminal activity. The criminal activity must be one to which the injured insured was not a party, and must have been documented in a police report.

Last Action: Chaptered by Secretary of State - Chapter 95, Statutes of 2001.

SB 424 (Burton) Workers' compensation.

Creates a disputable presumption that lower back impairment developing or manifesting itself with respect to certain public safety personnel arises out of and in the course of employment of service.

Last Action: Chaptered by Secretary of State - Chapter 834, Statutes of 2001.

SB 658 (Escutia) Insurance.

Requires an insurer to provide certain insureds with information relating to unfair methods of competition and deceptive acts or practices in the business of insurance in its initial response to a claim.

Last Action: Chaptered by Secretary of State - Chapter 583, Statutes of 2001.

SB 1176 (Machado) Workers' compensation: cancer: peace officers and safety officers.

Extends the cancer presumption under Workers' Compensation law to peace officers employed by the State Department of Fish and Game, the State Department of Parks and Recreation, investigators of the Department of Toxic Substances Control, parole officers of the Department of Corrections or the Department of the Youth Authority, and certain other peace officer classifications.

Last Action: Vetoed.

SB 1222 (Romero) Workers' compensation.

Creates a disputable presumption that, heart trouble, pneumonia, cancer, tuberculosis, or meningitis developing or manifesting itself with respect to certain state public safety personnel arises out of and in the course of employment of service.

Last Action: Chaptered by Secretary of State - Chapter 835, Statutes of 2001.

SB 1661 (Kuehl) Disability compensation: family temporary disability insurance.

Creates, within the state disability insurance program, a family temporary disability insurance program to provide up to 6 weeks of wage replacement benefits to workers who take time off to care for a seriously ill child, spouse, parent, domestic partner, or due to the birth, adoption or foster care placement of a new child.

Last Action: Chaptered by Secretary of State - Chapter 901, Statutes of 2002.

SBX3 2 (Alarcon) Unemployment insurance: benefits compensation.

Increases unemployment benefits, retroactively, to workers who were unemployed on or after September 11, 2001.

Last Action: Chaptered by Secretary of State - Chapter 4, Statutes of 2001-2002 Third Extraordinary Session.

JOBS, ECONOMIC DEVELOPMENT & THE ECONOMY

Honorable Sarah Reyes, Chair

The Committee on Jobs, Economic Development, and the Economy has jurisdiction over state economic development, international trade, and information and emerging technologies programs and legislation. The Committee encompasses the jurisdictions of the former Committee on International Trade and Development and the Committee on Information Technology. The Committee has two subcommittees: Information Technology (Manny Diaz, Chair) and International Trade (Jenny Oropeza Chair).

In the area of trade and economic development, the committee heard and approved bills on infrastructure and economic development in the Central Valley, on the promotion of agricultural exports, on the development of biotechnology, on the role of universities in local economic development, on the use of convention centers to promote tourism, on industrial development bond financing, on reorganization of state space industry organizations, and on reorganizing state international trade and investment programs. The committee also heard and approved bills to conduct performance evaluations for state run international trade and investment offices and require staff in these offices to have a background in international trade, and to look to the establishment of an state international trade office in the Republic of Armenia in order to serve Eastern Europe.

Other bills that were heard and approved included small business bills to facilitate small business disaster loan guarantees, to support small business financial development corporations, to strengthen enterprise zones in depressed urban areas, and to create new regional technology alliances to promote the use of technology in small businesses. Further, the committee also heard a bill to help local business investment and employment by expanding the number of years an area may be designated as an enterprise zone.

In the area of information technology, several bills were heard and approved to maintain the moratorium on Internet taxation, to apply online technologies to help Californians find low-income housing, to support workforce development through 10 new high-tech high schools, and to create up to 100 information technology career academies in California public high schools. Also, to protect consumers by requiring 30-day notice before termination of a customer's electronic mail or internet account, and to create an office to disclose the collection and utilization of consumers' personal information.

Finally, the committee approved resolutions asking that international trade agreements preserve and protect states rights, on the political status of Puerto Rico and on establishing sister state relationships with the Indian states of Punjab and Gujarat. With its subcommittees, the committee has held hearings on the performance of trade and investment programs of the Technology, Trade, and Commerce Agency and on the state's information technology practices.

Major bills heard and approved by the committee during the 2001-2002 Legislative Session include the following:

AB 31 (Reyes) Central Valley Infrastructure Grant Program.

Establishes, until January 1, 2007, the Central Valley Infrastructure Grant Program in the State Department of Housing and Community Development to provide grants, beginning September 1, 2001, for qualifying projects to rural small cities in the Counties of Fresno, Kings, Kern, Tulare, Madera, Merced, Stanislaus and San Joaquin.

Last Action: Chaptered by Secretary of State - Chapter 746, Statutes of 2001.

AB 46 (Washington) Enterprise zones.

Expands the number of enterprise zones from 39 to 42.

Last Action: Chaptered by Secretary of State - Chapter 587, Statutes of 2001.

AB 968 (Chan) Technology, Trade, and Commerce Agency: organization.

Provides that the Office of Foreign Investment, the Office of Trade Policy and Research, the Office of California-Mexico Affairs, the California State World Trade Commission, the international trade and investment offices, the Office of Export Development, and the Export Finance Office are within the International Trade and Investment Division within the agency.

Last Action: Chaptered by Secretary of State - Chapter 189, Statutes of 2001.

AB 1382 (Liu) Space industry development.

Merges the Space and Technology Alliance and the Western Commercial Space Center into the California Spaceport Authority. The authority would be responsible for awarding grants to further commercial space development to government agencies and private firms.

Last Action: Chaptered by Secretary of State - Chapter 752, Statutes of 2001.

AB 1471 (Diaz) Economic development.

Extends the authority for the Director of Finance to transfer funds from the reserve to the Small Business Expansion Fund for business loan guarantees following disasters, deletes the requirement that Small Business Financial Development Corporations become independent of state aid within four years, and expands authority to certify Infrastructure Bank bonds.

Last Action: Chaptered by Secretary of State - Chapter 508, Statutes of 2001.

AB 1689 (Committee on Jobs, Economic Development, and the Economy) California State University: vendors: direct payment.

Deletes a sunset date thereby permanently authorizing CSU to make direct vendor payments.

Last Action: Chaptered by Secretary of State - Chapter 169, Statutes of 2001.

AB 1814 (Reyes) Internet service providers: notice of service termination.

Requires Internet service providers (ISP) to notify customers 30 days in advance of proposed transfer of service to another ISP or of proposed termination of service.

Last Action: Vetoed.

AB 2922 (Simitian) Personal information: state agency records.

Requires the CA Office of Privacy Protection (COPP) to create the State Personal Information Inventory, which it shall make available to the general public by March 1, 2004. Every state agency shall report to COPP, using a process and format to be developed by COPP, a description of its system of records including the name and location of the system, categories of individuals, categories of records, type and purpose of use, and categories of sources of records in the system.

Last Action: Vetoed.

AJR 15 (Firebaugh) Border crossing deaths.

Urges the President and Congress of the United States, and the US Border Patrol, to proceed in a cooperative effort with the Mexican government through the working group on migrations and border safety to achieve a comprehensive examination of border safety and migration issues, an assessment of the impact of US border initiatives, enhanced investigations and prosecutions of criminal gangs of smugglers, and increasing search and rescue operations along the border.

Last Action: Chaptered by Secretary of State - Res. Chapter 115, Statutes of 2001.

SB 394 (Sher) Internet Tax Freedom Act: continuation.

Makes the extension of the expiration date of the California Internet Tax Freedom Act (CITFA) contingent upon the submission of a report by the California Commission on Tax Policy in the New Economy to the Governor and Legislature prior to December 1, 2002. CITFA would remain in effect until January 1, 2004, unless the Commission fails to submit the report, in which case the CITFA is repealed on January 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 343, Statutes of 2001.

SB 442 (Vasconcellos) Housing: special needs population.

Establishes the California Affordable Housing Connection, an internet based reference site for multi-unit low-income housing and adds requirements to the Statewide Housing Plan.

Last Action: Chaptered by Secretary of State - Chapter 577, Statutes of 2001.

SB 975 (Alarcon) California Infrastructure and Economic Development Bank.

Defines "public funds" used in "public projects" and states legislative intent that projects financed through Industrial Development Bonds issued by the California Infrastructure and Economic Development Bank must comply with existing laws pertaining to prevailing wages.

Last Action: Chaptered by Secretary of State - Chapter 938, Statutes of 2001.

SB 1657 (Scott) International trade and investment office: Republic of Armenia.

Requires the Governor to instruct the Secretary of the Technology, Trade and Commerce Agency (TTCA) to establish, on a contract basis, an international trade and investment office in the Republic of Armenia. Specifies that the trade office be established only to the extent that funds are made available to the TTCA from any source, including federal funding and private donations.

Last Action: Chaptered by Secretary of State - Chapter 863, Statutes of 2002.

SJR 40 (Kuehl) International investment agreements.

Memorializes the President and Congress to preserve the traditional powers of state and local governments by requiring negotiators of international investment agreements to perform certain duties.

Last Action: Chaptered by Secretary of State - Res. Chapter 129, Statutes of 2002.

JUDICIARY

Honorable Ellen Corbett, Chair

The Committee on Judiciary considered a number of complex and controversial issues this session, touching a wide range of substantive areas.

Personal, Civil and Constitutional Rights

Privacy. The committee addressed the ever-increasing threats to the privacy rights of Californians, considering several bills to increase consumers' ability to protect their private financial information. The committee passed a bill protecting consumers against unscrupulous practices by direct mail companies and passed legislation to protect consumers from the crime of identity theft by providing new safeguards and improved procedures for repairing the damage caused by this crime.

Civil Rights and Discrimination. The committee continued its efforts to protect the civil rights of Californians and to eliminate illegal discrimination. The committee passed legislation conferring important new rights on domestic partners. It affirmed the state's commitment to continued enforcement of the Americans with Disabilities Act (ADA) and passed legislation to ensure that the state itself can be held to the standards of the ADA. It took steps to protect consumers from discriminatory pricing in certain industries. It passed legislation to create further protections for whistleblowing employees. Finally, the committee affirmed California's commitment to upholding the reproductive rights of women, passing the Reproductive Privacy Act to ensure protection of those rights.

Civil Commitment of the Mentally Ill. Balancing the right of all Californians to make their own choices regarding medical treatment against the need to ensure that those who are severely mentally ill receive necessary treatment is one of the most difficult and controversial issues to come before this committee. In 2001, the committee considered changes to make it easier to prevent mentally ill persons from suffering a deterioration of mental state, while keeping in place essential safeguards to protect the freedom of all Californians.

Civil Procedure

Arbitration. This year, the committee passed legislation to protect individuals from abuses that may occur when legal claims are resolved in proceedings held by private judging companies, rather than in the courts. Bills were passed to set basic guidelines protecting consumers against potential bias by private judging companies, to hold private judging companies liable for their actions, to protect against the conflicts of interest that may arise when judges move from public employment to private work as arbitrators, to bar agreements that require consumers to pay the opposing party's fees, and finally, for the first time to make available to the public data on the workings of the arbitration system.

Liability Issues. The committee passed important legislation to ensure that gun manufacturers can be held liable when their negligent design and marketing decisions lead to harm. It passed legislation extending the statute of limitations for certain cases involving child sexual abuse. In order to ensure that the victims of crimes are able to recover fully from perpetrators, it passed legislation to extend the statute of limitations for civil actions against felons for the harm done by their crimes.

Secret Settlements. In 2001, the committee took on the issue of secrecy agreements in litigation that threaten public safety by keeping critical information on product defects or other threats out of the hands of the public. Ensuring that critical information reaches the public in order to prevent further harm, without unduly impinging on companies' right to keep competitively sensitive information confidential, was one of the most difficult challenges the committee faced.

Real Property

The committee took up measures to provide redress for homeowners harmed by construction defects, toxic mold, or the acts of unlicensed contractors. It passed legislation to allow renters who face eviction adequate time to find a new place to live.

Family Law and Domestic Violence

This year, the committee passed a measure giving domestic partners the right to inherit under the law of intestate succession. It passed legislation to ensure that a man who is ordered to pay child support has an adequate chance to bring DNA evidence before the court so that he will not have to pay if he is not the father of the child. The committee passed measures creating new causes of action in cases of gender-based violence and domestic violence.

In 2001, the committee considered a measure to protect divorcing spouses from losing spousal support under the provisions of an unfair premarital agreement, and a measure to protect victims of domestic violence from having to pay spousal support to their abusers. The committee passed a measure giving more complete information to courts considering whether to issue domestic violence protective orders. The committee also was able to aid in the creation of happy families by passing a bill to expedite the adoption process.

Attorneys

The committee took up measures to have the State Bar create a diversion program for the treatment of attorneys impaired due to mental illness or alcohol or drug abuse. The committee also sought to hold attorneys who contract with the State to the ethical standards of the profession by requiring that such attorneys participate in providing pro bono legal services for those who cannot afford legal help.

The following are some of the more significant bills passed by the committee during the 2001-2002 Legislative Session:

AB 25 (Migden) Domestic partnerships.

Provides certain rights to domestic partners: gives a domestic partner standing to sue for negligence in a wrongful death case; allows an opposite sex couple to register as domestic partners when one of them is over 62; allows a domestic partner to make health care decisions; requires employers to allow domestic partners to use sick leave to care for an ill domestic partner or their child; revises the statutory will form to include a domestic partner as a beneficiary; and allows adoption by a domestic partner of a child of her or his domestic partner.

Last Action: Chaptered by Secretary of State - Chapter 893, Statutes of 2001.

AB 36 (Steinberg) Confidentiality of writings.

Seeks to limit the use of secrecy agreements and protective orders in defective products and environmental hazard cases only to bring greater “sunshine” on potentially lethal harms to the public.

Last Action: Held in the Senate.

AB 267 (Steinberg) Construction defects.

Beginning July 1, 2002, revises and adds to the procedures to be followed during the pre-trial process established in existing law for lawsuits involving construction defects in the design or construction of a common interest development.

Last Action: Held in the Senate.

AB 268 (Wayne) Structured settlement payment rights.

Enacts additional disclosure and procedural requirements to the law regulating structured settlement buy-outs in order to protect unwary consumers who sell their settlements. The main new requirement is that the transferee (settlement buyer) must petition and obtain court approval of the sale in order for the transfer to be effective.

Last Action: Chaptered by Secretary of State - Chapter 624, Statutes of 2001.

AB 362 (Corbett) Domestic Violence Prevention Act: definitions.

Defines, for purposes of the Domestic Violence Prevention Act and the issuance of various protective orders under the Act, the term “dating relationship,” by incorporating the definition of that term currently contained in Penal Code Section 243, a “frequent, intimate association primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.”

Last Action: Chaptered by Secretary of State - Chapter 110, Statutes of 2001.

AB 496 (Koretz) Firearms.

Repeals current limited statutory immunity from liability for manufacturers and sellers of firearms and ammunition. Specifically provides that the design, distribution or marketing of firearms and ammunition are not exempt from the legal standard of duty to use ordinary care.

Last Action: Chaptered by Secretary of State - Chapter 906, Statutes of 2002.

AB 587 (Firebaugh) Civil rights.

Allows the Attorney General, district attorney or city attorney prosecuting enforcement actions under the Bane Civil Rights Act to seek a civil penalty of \$25,000 in addition to injunctive and equitable relief available under current law. The \$25,000 will be awarded to the person whose rights were violated, and assessed against each person who violated those rights.

Last Action: Chaptered by Secretary of State - Chapter 261, Statutes of 2001.

AB 655 (Wright) Personal identifying information: identity theft.

Permits consumers to have their names removed from any list provided by a credit bureau to another entity for credit offers not solicited by the consumer. Expands the rights and protections afforded to consumers who are the subject of investigations by investigative consumer reporting agencies.

Last Action: Chaptered by Secretary of State - Chapter 354, Statutes of 2001.

AB 677 (Steinberg) Persons with disabilities.

Requires the state to comply with the same non-discrimination obligations that are currently applied to its political subdivisions, contractors, and others receiving state funds. Revises the definition of “disability” for these purposes to conform to the definition in other areas of existing state law.

Last Action: Chaptered by Secretary of State - Chapter 708, Statutes of 2001.

AB 678 (Papan) Contractors.

Authorizes a person who uses an unlicensed contractor to bring an action in any court in this state for recovery of compensation paid to the unlicensed contractor for performance of any act or contract.

Last Action: Chaptered by Secretary of State - Chapter 226, Statutes of 2001.

AB 913 (Steinberg) Attorneys: pro bono services.

Requires firms who contract with the state for legal services to agree to make a good faith effort to provide a specified minimum number of hours of pro bono legal services during the term of the contract.

Last Action: Chaptered by Secretary of State - Chapter 880, Statutes of 2001.

AB 1088 (Jackson) Civil rights: gender discrimination.

Requires business establishments, such as tailors, hair salons, and dry cleaners, to conspicuously display their prices for each standard service to customers. Requires that the businesses provide the customer a complete price list upon request.

Last Action: Chaptered by Secretary of State - Chapter 312, Statutes of 2001.

AB 1424 (Thomson) Mental health: involuntary treatment.

Expands family involvement in the Lanterman-Petris-Short involuntary commitment process; adds patients medical and psychiatric records to the list of historical information that must be considered in involuntary commitment proceedings; and prohibits disability insurers, health plans and the Medi-Cal program from conditioning services eligibility on a patient’s legal status.

Last Action: Chaptered by Secretary of State - Chapter 506, Statutes of 2001.

AB 1928 (Jackson) Civil Actions: gender related violence.

Creates a statutory civil action for injuries resulting from acts of gender-related violence and includes a legislative finding that acts of domestic violence and sexual abuse based at least in part on the victim's gender constitute a form of sexual discrimination.

Last Action: Chaptered by Secretary of State - Chapter 842, Statutes of 2002.

AB 1933 (Reyes) Domestic violence.

Creates a statutory tort for injuries resulting from domestic violence. Provides that a person found liable under its provisions would be subject to general, special, and punitive damages, and that the court will have the discretion to award other relief to a prevailing plaintiff, including an injunction, costs, and reasonable attorney's fees.

Last Action: Chaptered by the Secretary of State - Chapter 193, Statutes of 2002.

AB 2216 (Keeley) Intestate succession: domestic partners.

Expands the legal rights of a registered domestic partner, effective July 2003, to include the right to inherit property without a will if one partner dies. Requires the Secretary of State to inform registered domestic partners and domestic partner applicants of this change by March 2003.

Last Action: Chaptered by Secretary of State - Chapter 447, Statutes of 2002.

AB 2240 (Wright) Paternity testing.

Enacts the Paternity Justice Act of 2002. Allows a paternity judgment established by default to be set aside if genetic testing indicates that the man established as the father in the default judgment is not the biological father. This action may be brought within two years after the moving party discovers, or through reasonable diligence should have discovered, the possibility that the previously established father is not the biological father

Last Action: Vetoed.

AB 2504 (Jackson) Judges: arbitration.

Requires disclosure by public judges regarding arrangements for and negotiations about employment as a private judge or related position after leaving government service. Requires that public judges disclose to the parties any arrangements for or discussions the judge has participated in during the prior two years regarding employment as an arbitrator or similar dispute resolution position when the proceeding involves an issue related to arbitration or when the source of prospective employment is a party to the case.

Last Action: Chaptered by Secretary of State - Chapter 1094, Statutes of 2002.

AB 2656 (Corbett) Arbitration: private arbitration companies.

Requires a private arbitration company involved in consumer arbitration cases to make certain information regarding those cases available to the public.

Last Action: Chaptered by Secretary of State - Chapter 1158, Statutes of 2002.

AB 2892 (Horton) State employees: discrimination action.

Provides that a person's failure to exhaust his or her judicial remedies after losing an administrative appeal from a State Personnel Board decision will not bar a related discrimination action by that person. The bill also provides that, as long as a person properly exhausts his or her administrative remedies under the Fair Employment and Housing Act (FEHA), the person may bring a FEHA discrimination claim in court, without also having to exhaust his or her state civil service administrative remedies.

Last Action: Vetoed.

AB 2915 (Wayne) Arbitration.

Prohibits a neutral arbitrator or private arbitration company from requiring a non-prevailing consumer party in a consumer arbitration to pay the opposing party's costs and fees. Requires a private arbitration company to waive the fees and costs of the arbitration where an indigent consumer meets certain poverty guidelines and requires a private arbitration company to provide written notice to any consumer of the right to obtain a fee waiver.

Last Action: Chaptered by Secretary of State - Chapter 1101, Statutes of 2002.

AB 3029 (Steinberg) Consumer arbitration agreements: private arbitration companies.

Provides that if a consumer arbitration agreement entered into on or after January 1, 2003, designates one or more exclusive arbitrators or arbitrator providers, the consumer party shall have the option after a dispute arises to choose a different arbitrator or private arbitration company. Requires that the arbitration agreement plainly notify the consumer of this right. Prohibits an arbitrator or private arbitration company from administering or otherwise participating in a consumer arbitration, unless certain requirements are met and the consumer has the option to choose the arbitrator or arbitration provider after the dispute arises.

Last Action: Vetoed.

AB 3030 (Corbett) Private arbitration companies: immunity.

Provides a remedy, at the discretion of the court, in the form of disgorgement of fees obtained by a private arbitration company in violation of ethical rules established by other bills in the Assembly Judiciary Committee's arbitration provider package.

Last Action: Chaptered by Secretary of State - Chapter 1159, Statutes of 2002.

AJR 1 (Havice) Americans with Disabilities Act.

Makes findings and declarations relating to the Americans with Disabilities Act (ADA) and memorializes the President and the Congress to stand firm in support of the ADA, to affirm the intent and substance of the ADA by enacting new legislation that would nullify the effect of any court decision that weakens the act, and take appropriate measures to encourage both the public and private sectors to apply the ADA in the manner in which it was intended.

Last Action: Chaptered by Secretary of State - Res. Chapter 82, Statutes of 2001.

SB 32 (Escutia) Contaminated property: restoration.

Empowers local governments to compel the investigation and cleanup of certain brownfields sites and establishes a pilot project for assessing the usefulness and impact of informational screening numbers.

Last Action: Chaptered by Secretary of State - Chapter 764, Statutes of 2001.

SB 66 (Kuehl) Domestic violence: protective orders: background checks.

Provides that, prior to a domestic violence restraining order (RO) hearing, the court shall have a search conducted to determine if the person to be restrained has prior criminal weapons or violence convictions, outstanding warrants, is on probation or parole, or has been the subject of other ROs.

Last Action: Chaptered by Secretary of State - Chapter 572, Statutes of 2001.

SB 78 (Kuehl) Premarital agreements.

Clarifies when courts should be permitted to enforce pre-marital agreements requiring the waiver of spousal support, as well as when courts may find that a given pre-marital agreement was voluntarily executed.

Last Action: Chaptered by Secretary of State - Chapter 286, Statutes of 2001.

SB 104 (Scott) Adoption.

Reduces the period during which a birth parent may either revoke consent to the adoption of his or her child, or sign a waiver of the right to revoke consent, from 90 days to 30 days.

Last Action: Chaptered by Secretary of State - Chapter 688, Statutes of 2001.

SB 189 (Bowen) Controlled substance release: notification.

Requires any owner of residential property that contains waste and seepage from illegal drug labs, particularly methamphetamine labs, to warn prospective purchasers and tenants of the hazards.

Last Action: Chaptered by Secretary of State - Chapter 466, Statutes of 2001.

SB 247 (Speier) Birth and death certificates: certified copies: access.

Controls the release of and access to birth and death records by providing that only an authorized person who submits a statement sworn under penalty of perjury that the requester is an authorized person may obtain a certified copy of a birth or death record. All other requesters who are not authorized persons may obtain a certified copy, but the document shall be an informational certified copy and shall be redacted to remove any signatures that appear on the document.

Last Action: Chaptered by Secretary of State - Chapter 914, Statutes of 2002.

SB 448 (Perata) Liability: injuries to peace officers, firefighters, and emergency medical personnel.

Modifies the “firefighter’s rule” to permit firefighters, police officers or emergency medical personnel to sue for injuries sustained while attending to an emergency where the conduct that caused injury to the emergency worker violates a statute, ordinance, or regulation and is not the conduct that caused the emergency that necessitated the emergency worker’s response.

Last Action: Chaptered by Secretary of State - Chapter 140, Statutes of 2001.

SB 479 (Burton) Attorneys: diversion and assistance.

Requires the State Bar to set up a diversion and assistance program to provide services for the treatment and recovery of attorneys who may be impaired due to mental illness or drug or alcohol abuse. The program will be funded in whole or in part by a \$10 fee collected as part of the annual dues for active State Bar members.

Last Action: Chaptered by Secretary of State - Chapter 129, Statutes of 2001.

SB 682 (Perata) Firearms.

Repeals current limited statutory immunity from liability for manufacturers and sellers of firearms and ammunition. Specifically provides that the design, distribution or marketing of firearms and ammunition are not exempt from the legal standard of duty to use ordinary care.

Last Action: Chaptered by Secretary of State - Chapter 913, Statutes of 2002.

SB 732 (Ortiz) Toxic mold.

Enacts the Toxic Mold Protection Act, intended to protect the public from adverse health effects related to the presence of molds in residential and commercial properties.

Last Action: Chaptered by Secretary of State - Chapter 584, Statutes of 2001.

SB 772 (Bowen) Electronic mail: service providers.

Requires electronic mail service providers to give customers at least 30 days notice prior to permanently terminating the customer's e-mail address. Prohibits a contract from permitting termination of service without cause with less than a 30-day notice.

Last Action: Chaptered by Secretary of State - Chapter 783, Statutes of 2002.

SB 780 (Ortiz) Protection of the exercise of constitutional rights.

Creates the California Freedom of Access to Clinic and Church Entrances Act which provides criminal and civil penalties for injuring, intimidating, or interfering with, a reproductive health services client or provider or a person entering a place of worship, and for damaging the property of a reproductive health service provider or a place of worship.

Last Action: Chaptered by Secretary of State - Chapter 899, Statutes of 2001.

SB 783 (Escutia) Whistleblowers.

Requires corporate officers, and directors and managers of limited liability companies to report to the Attorney General (AG), or the appropriate agency, that the company is producing materially false statements or reports as to the soundness and value of the company. Establishes civil penalties for failure to comply with the reporting requirement. Further provides additional "whistleblower" protections for refusal to perform unlawful conduct and for an employee's act on a previous job. Requires the AG to maintain a whistleblower hotline for corporate crime and regulatory misconduct and to refer calls to the appropriate investigative or regulatory agency.

Last Action: Vetoed.

SB 800 (Burton) Liability: construction defects.

Specifies the rights and requirements of a homeowner to bring an action for construction defects, including applicable standards for home construction, the statute of limitations, the burden of proof, the damages recoverable, a detailed prelitigation procedure, and the obligations of the homeowner.

Last Action: Chaptered by Secretary of State - Chapter 722, Statutes of 2002.

SB 985 (Kuehl) Real property.

Requires landlords within the Cities of Los Angeles, Santa Monica, or West Hollywood to give at least 60-days notice to terminate a periodic tenancy effective until January 1, 2005. Requires a tenant to give at least 30 days notice prior to ending a periodic tenancy. Requires any rental agreement and three-day notice to pay-or-quit to disclose the name, telephone number, and address of the person to whom the rent shall be paid. Closes a loophole that permits buildings in rent control areas to evade controls by getting a permit to convert to condominiums but don't.

Last Action: Chaptered by Secretary of State - Chapter 729, Statutes of 2001.

SB 1221 (Romero) Spousal support: domestic violence.

Revises the criteria to be considered in determining spousal support. Provides that in an any divorce proceeding where there is a criminal conviction for domestic violence perpetrated by one spouse against the other spouse within five years before the filing of the divorce, there shall be a disputable presumption that any award of spousal support to the abusive spouse should not be made.

Last Action: Chaptered by Secretary of State - Chapter 293, Statutes of 2001.

SB 1301 (Kuehl) Reproductive privacy act.

Provides that (1) every individual possesses a fundamental right to privacy with respect to reproductive decisions; (2) the state shall not deny or interfere with a woman's right to choose an abortion prior to viability of the fetus; (3) revises the language describing who is authorized to perform the functions necessary to perform or assist in surgical and nonsurgical abortions; and (4) specifies that "nonsurgical abortion" includes termination of pregnancy through the use of pharmacological agents.

Last Action: Chaptered by Secretary of State - Chapter 385, Statutes of 2002.

SB 1403 (Kuehl) Landlord-tenant.

Requires an owner of a residential dwelling giving notice to a tenant of his or her intent to terminate the dwelling to give at least 60-days notice prior to termination or 30-days notice prior to termination if the tenant has resided in the dwelling for less than one year.

Last Action: Chaptered by Secretary of State - Chapter 301, Statutes of 2002.

SB 1538 (Burton) Employment arbitration agreements.

Makes it an unlawful employment practice to require an employee to waive any rights or procedures under the Fair Employment and Housing Act (FEHA), and makes unenforceable any pre-dispute arbitration agreement between an employer and employee that waives such rights or procedures.

Prohibits an employer from taking any adverse employment action against a person for refusing to waive rights or procedures under FEHA.

Last Action: Vetoed.

SB 1779 (Burton) Damages: childhood sexual abuse: statute of limitations.

Allows civil sexual abuse cases against a third party to be filed after the victim's 26th birthday when the third party knew or had reason to know of unlawful sexual conduct by an employee, volunteer, representative or agent, and failed to take reasonable steps, and implement reasonable safeguards, to avoid similar unlawful conduct by that employee or agent in the future. Also revives actions that were previously barred by the statute of limitations and allows those actions to be filed within one year of the effective date of this bill.

Last Action: Chaptered by the Secretary of State - Chapter 149, Statutes of 2002.

SB 1887 (McPherson) Actions against felons.

Extends the statute of limitations for the commencement of a tort action against a defendant based upon that person's commission of certain felony offenses for which the person was convicted.

Allows a tort action to be filed up to ten years after the person is discharged from parole. Provides that the bill's provisions apply to any action commenced before, on, or after the effective date of the provision.

Last Action: Chaptered by Secretary of State - Chapter 633, Statutes of 2002.

SB 1945 (Kuehl) Discrimination: hate crime.

Redefines the time for filing a complaint with the State Department of Fair Employment and Housing for an alleged violation of California's hate crimes prohibition (the Ralph Civil Rights Act), for a period of one more year from the date the aggrieved person became aware of the identity of a person liable for an alleged violation and in no case more than three years.

Last Action: Chaptered by Secretary of State - Chapter 490, Statutes of 2002.

LABOR & EMPLOYMENT

Honorable Paul Koretz, Chair

In the 2001 - 2002 Legislative Session, the Committee on Labor and Employment, under the leadership of its Chair, Assemblymember Paul Koretz, sought to promote the welfare of the working men and women of California, with particular emphasis on occupations considered a part of the underground economy. The committee passed bills, which sought to afford employees important layoff notification and severance benefits, as well as stronger occupational safety and health protections and protection from employer retaliation against employees exercising rights under the Labor Code. Legislation to index the minimum wage and to increase fines and penalties for Labor Code violations were also passed by the committee. Legislation in the agriculture industry included bills requiring binding arbitration in situations where an employer of agricultural workers and a labor organization representing such workers reach an impasse in negotiations, and establishing a system for the verification of farm labor contractor licenses, to provide farm labor contractor wage surety bonds and a portion of the license fees are payable for damages arising from labor law violations.

The committee also passed legislation to establish a horse racetrack backstretch employee labor process and require the California Horse Racing Board to annually inspect the housing conditions at California's racetracks. Additionally, the committee passed legislation to permit both janitors and transit employees to keep their jobs with a successor contractors up to 60 days when their employer has lost a contract. The committee also passed legislation to provide that when a construction worker is supplied by a temporary agency the licensed contractor supervising the employee's work is the employer for purposes of ensuring proper wages, hours, working conditions, workers compensation, and occupational safety and health. Additionally, the committee passed legislation to prohibit compulsory overtime for registered nurses or health care industry employees after the conclusion of an employee's daily work schedule and after 40 hours in a workweek.

Additional important legislation passed by the committee included bills to extend employee anti-discrimination laws to applicants for employment and job training programs and prohibit discrimination against employees and applicants for employment engaged in lawful conduct outside of employment; to expand the definition of sex to include gender, actual or perceived, for purposes of defining unlawful employment discrimination; to prohibit an employer from forbidding or limiting the use of any non-English language in a workplace; and to create a Labor and Workforce Development Agency in state government made up of the Department of Industrial Relations, the Employment Development Department, the Agricultural Labor Relations Board and the Workforce Investment Board.

Some of the key bills the committee considered this session include:

AB 325 (Reyes) Farm workers.

Prohibits a farm worker from being required to cash a paycheck at a location designated by a farm labor contractor, grower, or agricultural employer, or being charged a fee for doing so. Also, assigns misdemeanor penalties for wrongful conduct and increases penalties for charging employees transportation costs to and from the job site.

Last Action: Vetoed.

AB 423 (Hertzberg) Farm labor contractors: license requirements.

Establishes a system for the verification of farm labor contractor (FLC) licenses including a Verification Unit at the Department of Industrial Relations. Specifies the duties of growers and FLCs to obtain copies of licenses, and to use the verification system to determine if they are valid. Revises criminal penalties (fines) for specified wage violations, and establishes a program of state and local enforcement units to prosecute such cases.

Last Action: Chaptered by Secretary of State - Chapter 157, Statutes of 2001.

AB 800 (Wesson) Employment: Workplace language policies.

Codifies existing Fair Employment and Housing Commission regulations that prohibit an employer from prohibiting or limiting the use of a non-English language in a workplace, except as a demonstrated business necessity.

Last Action: Chaptered by Secretary of State - Chapter 295, Statutes of 2001.

AB 1015 (Wright) Employment: retaliation.

Extends employee anti-discrimination laws to applicants for employment and job training programs, and prohibits discrimination against employees and applicants for employment engaged in lawful conduct outside of employment. Law enforcement agencies would be exempt.

Last Action: Chaptered by Secretary of State - Chapter 820, Statutes of 2001.

AB 1025 (Frommer) Lactation accommodation.

Requires employers to provide reasonable unpaid break time and to make reasonable efforts to provide the use of an appropriate room for an employee to express breast milk for the employee's infant child.

Last Action: Chaptered by Secretary of State - Chapter 821, Statutes of 2001.

AB 1506 (Wesson) Public works: school bond acts.

Requires an awarding body choosing to use funds for a public works project, derived from either the Kindergarten-University Public Education Facilities Bond Act of 2002, or the Kindergarten-University Public Education Facilities Bond Act of 2004, to initiate and enforce, or contract with a third-party to initiate and enforce, a labor compliance program.

Last Action: Chaptered by Secretary of State - Chapter 868, Statutes of 2002.

AB 1599 (Negrete-McLeod) Age discrimination in employment.

Broadens a legal prohibition on employment discrimination based upon age by making all discrimination based upon age of individuals 40 and over in employment unlawful, except where provided by law.

Last Action: Chaptered by Secretary of State - Chapter 525, Statutes of 2002.

AB 2189 (Koretz) Displaced contract transit employees.

Requires a contractor who enters into a contract for public transit services to retain the employees of a former contractor providing such services during a 60-day transition employment period.

Last Action: Vetoed.

AB 2195 (Corbett) Workplace protections.

Extends to victims of sexual assault the same workplace protections afforded victims of domestic violence. Victims of sexual assault would be eligible to take time off work and employers could not take adverse actions against the employee, so long as the employee complies with certain conditions such as notice to the employer.

Last Action: Chaptered by Secretary of State - Chapter 275, Statutes of 2002.

AB 2509 (Goldberg) Labor standards: local jurisdictions.

Permits local government agencies to impose labor standards, more stringent than those required by state law, on local projects that receive state funding.

Last Action: Chaptered by Secretary of State - Chapter 298, Statutes of 2002.

AB 2895 (Shelley) Private employment: working conditions.

Prohibits an employer from requiring, as a condition of employment, an employee to refrain from disclosing information about the employers working conditions. Also prohibits an employer from requiring an employee to sign a waiver or other document that purports to deny the employee the right to disclose information about the employer's working conditions. States that the bill's provisions are not intended to allow an employee disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege, without the consent of the employer.

Last Action: Chaptered by Secretary of State - Chapter 934, Statutes of 2002.

AB 2957 (Koretz) Employment: mass layoffs, relocations and terminations.

Precludes employers from ordering a mass layoff, relocation, or termination, of an industrial or commercial facility employing 50 or more persons, without first giving 60-days notice to affected employees and certain government agencies. An employer would not be required to comply with the 60-days notice requirement if the employer is actively seeking capital or business that would enable the employer to avoid or postpone a relocation or termination, and the employer reasonably and in good faith believed that giving the 60-days notice would preclude the employer from obtaining the capital or business.

Last Action: Chaptered by Secretary of State - Chapter 780, Statutes of 2002.

AB 2989 (Committee on Labor and Employment) Wages: severance pay.

Provides one week of severance pay per year of employment for long-time workers who lose their jobs because of layoffs, or closure or relocation of the facility, if employed by a large employer who pays severance or bonuses to executives and other high-level employees.

Last Action: Vetoed.

AB 2990 (Committee on Labor and Employment) Employment retaliation.

Establishes a rebuttable presumption of retaliation if an employer took adverse action against an employee within 90 days of the employee's exercise of legal rights to complain to or participate in proceedings with the state Labor Commissioner.

Last Action: Vetoed.

SB 20 (Alarcon) Displaced janitors.

Permits janitors to keep their jobs with a successor maintenance contractor up to 60 days when their employer has lost a janitorial contract. Applies to employers of 25 or more employees.

Last Action: Chaptered by Secretary of State - Chapter 795, Statutes of 2001.

SB 25 (Alarcon) Labor and Civil Rights Agency.

Establishes the California Labor and Civil Rights Agency, directed by a cabinet-level Secretary of Labor, assisted by an Under Secretary and five assistant Secretaries, to integrate California's employment and social insurance programs to better serve the public.

Last Action: Vetoed.

SB 371 (Escutia) Courts: interpreters: collective bargaining rights.

Establishes the Trial Court Interpreter Employment and Labor Relations Act, setting forth procedures governing the employment of certified and registered trial court interpreters employed by the trial courts. Makes certified and registered court interpreters employees of the courts; grants court interpreters collective bargaining rights; and establishes minimum standards for employment protections equivalent to those available to other court employees.

Last Action: Chaptered by Secretary of State - Chapter 1047, Statutes of 2002.

SB 1125 (Burton) Farm labor contractors: licensing.

Provides that farm labor contractor wage surety bonds and a portion of the license fees are payable for damages arising from labor law violations.

Last Action: Chaptered by Secretary of State - Chapter 147, Statutes of 2001.

SB 1471 (Romero) Family sick leave.

Provides that an employer absence control policy which counts sick leave used to care for a child, parent, spouse, or domestic partner as an absence which may lead to or result in discipline, discharge, demotion, or suspension constitutes a per se violation of the law relating to sick leave.

Last Action: Chaptered by Secretary of State - Chapter 1107, Statutes of 2002.

SB 1736 (Burton) Agricultural employer-employee collective bargaining, mediation, and arbitration.

Requires the Agricultural Labor Relations Board to assign a third party arbitrator to make binding decisions establishing the terms of a collective bargaining agreement in instances where an employer of agricultural workers and a labor organization representing such workers reach an impasse in negotiations.

Last Action: Vetoed.

LOCAL GOVERNMENT

Honorable Pat Wiggins, Chair

Instead of the sweeping proposals to reform local agency formation commissions (LAFCOs) and the state-local fiscal relationship that were considered last year, this year, as a result of the state budget the Committee on Local Government has seen more narrowly crafted legislation.

Some of the most intense debate has occurred over issues that deal with particular areas of the state: sales tax allocation in the jurisdiction of the Sacramento Area Council of Governments, proposals to create a municipal utility district and a regional transportation authority in San Diego, the use of the site of the former Tustin Marine Corps Air Station in Orange County, and repairing and upgrading the Hetch Hetchy water system in Alameda, Santa Clara, San Mateo, and San Francisco Counties.

Two issues of statewide significance considered by the committee of particular note have been establishing a requirement that sufficient water supplies are in place before development can take place (SB 221), and restoring reasonable limits on the use of lot line adjustments for antiquated subdivisions (SB 497). Agricultural land protection has been another issue of significance, with several measures heard by the committee addressing agricultural land preservation in relationship to the Subdivision Map Act, general plan elements, and LAFCOs. The committee has also heard several bills that propose to revise the housing element of general plans to encourage planning and construction of housing, particularly low and moderate income housing.

The following are some of the key bills the committee has considered during the 2001-2002 Legislative Session:

AB 93 (Wayne) Airports: San Diego County Regional Airport Authority.

Creates the San Diego County Regional Airport Authority with the power to plan, site, own, and operate a new regional airport. Assigns the Airport Authority the power to own and operate San Diego International Airport at Lindbergh Field. Shifts these duties and powers from the San Diego Association of Governments and the San Diego Unified Port District to the new Airport Authority.

Last Action: Chaptered by Secretary of State - Chapter 946, Statutes of 2001.

AB 169 (Wiggins) Property tax revenue allocations: audits.

Standardizes county auditor property tax allocation guidelines and caps reallocation or adjustment of property tax distributions made by counties.

Last Action: Chaptered by Secretary of State - Chapter 381, Statutes of 2001.

AB 212 (Correa) Redevelopment: Tustin Marine Corps Air Station.

Prohibits the City of Tustin or the Tustin Community Redevelopment Agency from issuing any land use or other approval unless it requires the conveyance of or an offer to dedicate certain property to the Santa Ana Unified School District and the Rancho Santiago Community College District for a K-14 facility.

Last Action: Chaptered by Secretary of State - Chapter 123, Statutes of 2001.

AB 1284 (Lowenthal) Housing opportunity districts.

Enacts the Job-Center, Community Infill Housing Development Incentive Act of 2002 to promote, encourage, and facilitate adequate housing development to provide affordable housing to California's growing work force. Allows cities and counties to create housing opportunity districts that can use property tax increment revenues to promote affordable housing.

Last Action: Held in the Senate.

AB 1367 (Wiggins) Land use: school siting.

Increases the amount of consultation and information sharing required between local planning agencies and school districts concerning school siting.

Last Action: Chaptered by Secretary of State - Chapter 396, Statutes of 2001.

AB 1553 (Keeley) Environmental justice: guidelines.

Requires the Office of Planning and Research, no later than July 1, 2003, to include guidelines for addressing environmental justice matters in city and county general plans and to hold at least one public hearing prior to the release of any draft guidelines, and at least one public hearing after the release of the draft guidelines.

Last Action: Chaptered by Secretary of State - Chapter 762, Statutes of 2001.

AB 1823 (Papan) Regional water systems.

Requires the City and County of San Francisco to adopt, implement and finance a capital improvement program for the Hetch Hetchy water system, which serves approximately 2.4 million Bay Area residents, and invests the state Department of Health Services with significant oversight responsibilities concerning the management of the system.

Last Action: Chaptered by Secretary of State - Chapter 841, Statutes of 2002.

AB 1866 (Wright) Housing: density bonuses.

Requires local governments to use a ministerial process for approving second units. Prohibits local governments from applying any development standard that would have the effect of precluding an affordable housing development from receiving a density bonus. Authorizes a local agency to charge a fee to reimburse it for costs that it incurs as a result of these provisions.

Last Action: Chaptered by Secretary of State - Chapter 1062, Statutes of 2002.

AB 1945 (Simitian) Closed sessions: confidential information.

Provides that no person can disclose confidential information derived from a local agency closed meeting, unless the governing body authorizes the disclosure.

Last Action: Chaptered by Secretary of State - Chapter 1119, Statutes of 2002.

AB 1997 (Thomson) Land conservation.

Prohibits a city or county from granting either a tentative map or a parcel map for land subject to an open-space easement, agricultural conservation easement, or conservation easement.

Last Action: Chaptered by Secretary of State - Chapter 613, Statutes of 2002.

AB 2058 (Papan) Bay Area Water Supply and Conservation Agency.

Enacts the Regional Water Supply and Conservation Agency Act and provides for the formation of the Bay Area Water Supply and Conservation Agency by 26 public entities that purchase water from the city of San Francisco.

Last Action: Chaptered by Secretary of State - Chapter 844, Statutes of 2002.

AB 2292 (Dutra) Residential density.

Requires every city and county to ensure that its inventory or programs for adequate housing sites required as part of its housing element can accommodate its share of regional housing needs during that planning period. Prohibits a city and a county from reducing, requiring, or permitting the reduction of a parcel's residential density to a lower residential density that is below the density used to determine compliance with the housing element.

Last Action: Chaptered by Secretary of State - Chapter 706, Statutes of 2002.

AB 2370 (Thomson) Local agency formation: annexation.

Prohibits local agency formation commissions from approving annexations to, or the expansion of the spheres of influence of, cities or special districts that would include land dedicated to agricultural, open space, or conservation uses under specified conditions.

Last Action: Chaptered by Secretary of State - Chapter 614, Statutes of 2002.

AB 2650 (Lowenthal) Air pollution and diesel emissions.

Requires each marine terminal in the state to operate in a manner that does not cause the engines on trucks to idle for more than 30 minutes while waiting to load or unload at the terminal. Requires local air quality management districts with geographical jurisdiction over the marine terminal with enforcing the requirement.

Last Action: Chaptered by Secretary of State - Chapter 1129, Statutes of 2002.

AB 3057 (Matthews) Agricultural lands

Requires a city or county to amend its general plan to include a local agricultural and open-space element. Permits this element of a county general plan to include a specified land inventory segregating open space from agricultural land, and goals, objectives, and feasible implementation measures that support these purposes. Renames the open-space element the "agricultural and open-space element."

Last Action: Vetoed.

SB 221 (Kuehl) Land use: water supplies.

Requires that subdivisions of more than 500 residential units provide written verification that an adequate water supply is or will be available.

Last Action: Chaptered by Secretary of State - Chapter 642, Statutes of 2001.

SB 350 (Alpert) Metropolitan water districts.

Requires the Metropolitan Water District of Southern California on or before June 30, 2002, to adopt a resolution establishing guidelines governing the intended use of unreserved fund balances.

Last Action: Chaptered by Secretary of State - Chapter 632, Statutes of 2001.

SB 497 (Sher) Land use: energy conservation.

Revises provisions of the Subdivision Map Act pertaining to lot line adjustments and certificates of compliance, and repeals provisions of the Map Act concerning dedication of land for bicycle paths and transit facilities. Limits the number of parcels that may be exempted from the Map Act to four or fewer, and requires that they be "adjoining," that is to say, physically contiguous. Allows local governments to review and approve or deny lot line adjustments for exempt parcels based on conformity with the local general plan and any applicable coastal plan.

Last Action: Chaptered by Secretary of State - Chapter 873, Statutes of 2001.

SB 610 (Costa) Water supply planning.

Expands the requirement for public water systems to prepare water supply assessments for large-scale projects and requires that additional information be included in assessments.

Last Action: Chaptered by Secretary of State - Chapter 643, Statutes of 2001.

SB 1098 (Alarcon) Planning and zoning: housing.

Requires local governments to make specific findings when extending an interim ordinance that has the effect of denying land use approvals needed for the development of projects with a significant component of multifamily housing.

Last Action: Chaptered by Secretary of State - Chapter 939, Statutes of 2001.

SB 1480 (Speier) Outdoor advertising.

Revises or extends several provisions of the Outdoor Advertising Act, including those relating to billboard permit procedures and fees, local regulation and penalties for the failure to remove certain nonconforming advertising displays.

Last Action: Chaptered by Secretary of State - Chapter 1129, Statutes of 2002.

SB 1643 (Johnson) Public agency emergencies.

Waives the one-hour notice that a legislative body must give to hold emergency meetings in the case of dire emergency, and to meet in closed session, if necessary, for discussion of safety issues.

Amends the list of documents that are exempt from disclosure under the Public Records Act, including documents that assess vulnerability to terrorist attack or other criminal acts intended to disrupt the public agency's operations.

Last Action: Chaptered by Secretary of State - Chapter 175, Statutes of 2002.

NATURAL RESOURCES

Honorable Howard Wayne, Chair

The Committee on Natural Resources has jurisdiction over issues related to the state's most important environmental issues. This year the Committee's work focused on a variety of topics, including energy research and development, energy conservation, state lands, non-vehicular air pollution, recycling, oil spills, wild and scenic rivers, and forestry.

Amending, but not end-running, the California Environmental Quality Act

There is a perception among certain groups that the CEQA process has procedural problems relating to projects that will have significant impacts on urban infill housing developments and multiple jurisdictions. As the population of California continues to grow and undeveloped areas become developed, more and more cities and counties will consider development projects that abut a neighboring jurisdiction. Oftentimes these development projects, if approved, bring about tremendous environmental impacts on a neighboring jurisdiction.

Though the CEQA process allows for interested and affected parties to comment on the proposed projects, a lead agency may disregard the adjacent jurisdictions' concerns. This happens more frequently when lead agencies have a vested interest in ensuring that the proposed project is carried out. As a result, lead agencies that have, for whatever reason, a vested interest in a particular project, can formally justify the approval of a project that brings about impacts, which the developer cannot mitigate, on a neighboring jurisdiction when the lead agency is approving a CEQA document.

These bills should save both developers and public agencies time and energy:

AB 436 (Chan) Resources and environmental protection: California Environmental Quality Act: focused environmental impact reports.

Authorizes a pilot program for the City of Oakland for the purpose of urban infill, multi-family, residential developments, or residential and commercial or retail mixed-use development with not more than 25 percent of the total floor area of the project used as retail space.

Last Action: Chaptered by Secretary of State - Chapter 701, Statutes of 2001.

AB 1532 (Pavley) Environmental quality.

Requires lead agencies to conduct public scoping hearings for projects that have significant regional impacts upon determination that an environmental impact report is required by the California Environmental Quality Act.

Last Action: Chaptered by Secretary of State - Chapter 867, Statutes of 2001.

SB 1925 (Sher) California Environmental Quality Act: exemptions.

Consolidates provisions relating to housing and infill development projects, revises the affordable housing exemptions, and makes certain definitions, terms and conditions consistent in the CA Environmental Quality Act.

Last Action: Chaptered by Secretary of State - Chapter 1039, Statutes of 2002.

Environmental Justice at the Local Level

Existing law focuses exclusively on addressing environmental justice issues at the state level. SB 115 (Solis), Chapter 690, Statutes of 1999; 89 (Escutia), Chapter 728, Statutes of 2000. No state policy exists to address these issues at the local level. However, local governments address environmental justice issues on a daily basis. Most citizen community advocates do not possess the resources to raise their issues to state agencies, thus resulting in harsh and bitter fights at the local level. These bills provide local governments with a policy framework to address environmental justice concerns at the local level.

AB 1553 (Keeley) Environmental justice: guidelines.

Requires the Office of Planning and Research, no later than July 1, 2003, to include guidelines for addressing environmental justice matters in city and county general plans and to hold at least one public hearing prior to the release of any draft guidelines, and at least one public hearing after the release of the draft guidelines.

Last Action: Chaptered by Secretary of State - Chapter 762, Statutes of 2001.

AB 2312 (Chu) Environmental justice: grant program.

Creates the Environmental Justice Fund in the State Treasury, and requires Cal-EPA to make grants up to \$20,000 to certain eligible community groups and federally recognized tribal governments.

Last Action: Chaptered by Secretary of State - Chapter 994, Statutes of 2002.

SB 828 (Alarcon) Environmental justice.

Requires the Secretary for CalEPA to convene a working group to examine existing data and studies on environmental justice on or before January 1, 2002.

Last Action: Chaptered by Secretary of State - Chapter 765, Statutes of 2001.

Sudden Oak Death

Sudden oak death syndrome (SOD), which was first discovered in 1995 in a single patch of tan oak trees in Marin County, has quickly spread over more than 350 acres of oak trees along the coast of California and has been killing them at an alarming rate. To date, five counties, Marin, Sonoma, Napa, Santa Cruz, and Monterey have confirmed the disease within the county. In some areas, 80 percent of the oaks are infected, and half of those are dead. Researchers with state and private foundations, are now concerned that the quick spread of the disease, which has already devastated the populations of tan oak, black oak, and coast live oak trees in five of California's coastal counties, may spread inland or to the foothills of the Sierra Nevada, where precious black oak trees live. Environmental impacts from SOD in California could include increased fire hazards from the dry wood buildup, changes to the forest ecological system, and the loss of additional oak trees on private lands where the oak has high aesthetic value to private homeowners. This year, the committee focused on increasing the funding and mitigation to halt the spread of SOD within California.

There are a number of bills relating to SOD syndrome this session including:

AB 62 (Migden) Sudden oak death.

Allocates \$3.5 million to the budget of the Department of Forestry and Fire Protection and requires the department to develop and implement measures to prevent, control, and eradicate Sudden Oak Death and to perform control work on state and private lands where Sudden Oak Death is occurring.

Last Action: Chaptered by Secretary of State - Chapter 513, Statutes of 2001.

AB 242 (Thomson) Wildlife conservation: oak woodlands.

Creates the Oak Woodlands Conservation Act to provide grants, incentives, public education, and assistance to local governments, park and open-space districts, resource conservation districts, and nonprofit organizations to encourage long-term private stewardship of California oak woodlands. Transfers a minimum of \$5 million and a maximum of \$8 million from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund.

Last Action: Chaptered by Secretary of State - Chapter 588, Statutes of 2001.

AB 2251 (Nation) Sudden oak death.

Requires the Department of Forestry and Fire Protection to implement a program to detect, remove, and treat, if possible, trees infected with *Phytophthora ramorum* and would require that the program encourage tree management and replanting.

Last Action: Chaptered by Secretary of State - Chapter 854, Statutes of 2002.

ACR 5 (Nation) Sudden oak death.

Encourages state agencies to coordinate with federal agencies to seek all necessary and immediate state and federal funds for research, public education, increased emergency wildfire response capabilities in affected counties, and aid to homeowners and local governments for costs associated with sudden oak death syndrome.

Last Action: Chaptered by Secretary of State - Res. Chapter 149, Statutes of 2001.

California Parks, Water and Land Protection Trust Fund

California has traditionally supported both park acquisition and restoration and open space land conservation through various sources of funding such as statewide bond acts, general fund appropriations, budget allocations, and state agency grant programs. However, California has never had a specific, long-term conservation program or funding source. Throughout the past two decades funding for land conservation in California has been sporadic at best. The state currently lacks a permanent, dependable funding source that would make it easier to formulate long-term plans for protecting California's water and land quality. In addition, The California Environmental Dialogue recently identified a need for \$12 billion over the next ten years to protect threatened open space and agricultural lands in California.

Currently, 15 other states have permanent funding sources for land conservation. While most of the states use funds from a tax source (cigarette tax, real estate transfer tax, sales tax), each has a unique permanent funding source. A permanent funding source in California provides a method to balance the increasing volatility of economic revenues, while creating a new model for state investment. By providing a permanent funding source, the constitutional amendment would not create ongoing funding obligations and, in fact, help reduce the demand for conservation funding in weak economic years. Further, this constitutional amendment will establish a partnership with federal and local

governments, as well as philanthropic and private sectors to preserve California's unique natural resources for future generations.

Additionally, the passage of AB 1602 follows the successful enactment of Proposition 12, which was jointly authored by Assemblymembers Keeley and Villaraigosa. Proposition 12 was approved by more than 63 percent of California's voters during the March 2000 Primary Election. The \$2.1 billion measure made the first down payment in addressing California's multi-billion backlog in park and open space funding needs.

AB 1602 will help meet the park and open space needs of California's fast growing population. California is projected to add the population of five cities the size of Los Angeles over the next four decades.

AB 1602 (Keeley) California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

Places on the ballot a \$2.6 billion park bond act to protect California's coast, improve water quality, provide safe places for children to play, and help meet the park and open space needs of California's fast growing population. California is projected to add the population of five cities the size of Los Angeles over the next four decades. The measure provides:

- \$832.5 million for local park projects
- \$225 million for state park projects
- \$200 million for coastal protection
- \$300 million for clean beaches, watershed protection and water quality
- \$300 million for wildlife habitat protection
- \$75 million to protect agricultural lands
- \$75 million for river parkways
- \$245 million to protect other sensitive lands
- \$267.5 million to protect historical and cultural resources
- \$50 million to improve air quality
- \$20 million for conservation corps programs that put young adults to work repairing parks and for resource conservation projects
- \$10 million for tree planting projects.

Last Action: Chaptered by Secretary of State - Chapter 875, Statutes of 2001. Approved by the voters March, 2002.

AB 1997 (Thomson) Land conservation.

Requires counties and cities to deny subdivisions of land subject to open space easements, agricultural conservation easements, or conservation easements if the parcels are too small to sustain their agricultural use, or result in residential development that is not incidental to commercial agricultural use.

Last Action: Chaptered by Secretary of State - Chapter 613, Statutes of 2002.

AB 2083 (Jackson) Public resources: oil spill prevention and response.

Requires the State Lands Commission to develop a form that is to be completed by the operator or responsible party engaged in the internal shipping of oil.

Last Action: Chaptered by Secretary of State - Chapter 512, Statutes of 2002.

AB 2158 (Lowenthal) Coastal development permits: affordable housing requirements.

Requires the Coastal Commission to take appropriate steps to ensure that all coastal development permit conditions existing on January 1, 2002, relating to affordable housing are enforced and exist for the term of the permit. Provides that the above provision is not intended to retroactively authorize the release of any housing unit from coastal development permit requirements relating to affordable housing.

Last Action: Chaptered by Secretary of State - Chapter 297, Statutes of 2002.

AB 2727 (Keeley) State Coastal Conservancy: coastal zone land.

Enhances the State Coastal Conservancy's authority to provide grants and fund land acquisitions for purposes of protecting and providing public access to the state's coastal resources.

Last Action: Chaptered by Secretary of State - Chapter 958, Statutes of 2002.

AB 2993 (Firebaugh) Urban wildland interface communities: prefire activities.

Requires the California Department of Forestry and Fire Protection (CDF) to establish a working group to develop potential incentives for landowners to implement prefire activities in state responsibility areas and urban wildland interface communities. This bill also requires CDF to identify all federal, state, or local programs, private programs, or any other programs requiring a cost share that involves prefire activities.

Last Action: Chaptered by Secretary of State - Chapter 596, Statutes of 2002.

SB 1 (Alpert) Decommissioned oil platforms and production facilities: California Endowment for Marine Preservation.

Establishes a mechanism by which the operator of an offshore oil platform scheduled for removal from production would be allowed to leave a portion of the structure in place below the water line in return for contributing portions of the resulting cost savings to support programs enhancing open coastal marine resources.

Last Action: Vetoed.

Air Quality

The California Air Resources Board and air districts are charged with meeting federal and state air quality standards. Failure to meet those standards can result in federal sanctions, loss of substantial federal highway funding, or federal agency assumption of the state and local agencies' duties in maintaining those standards. Among other issues, the state's most recent State Implementation Plans, which are required under the federal Clean Air Act, have included specific commitment by the state to reduce smog-causing substances.

Several state air districts face increasing challenges to meet air quality mandates. Unfortunately, with the emerging energy crisis came numerous pieces of legislation that sought to roll back state air quality laws in order to "solve" the energy crisis. This included several bills to allow the use of backup, diesel generators, relaxation of air laws, and numerous exemptions. Fortunately, more energy was made available to the state grid without a rollback in air quality protection and none of the bills seeking rollbacks or exemptions passed out of the Assembly Natural Resources Committee.

Renewable Energy

With the continuing energy crisis in California, the Natural Resources committee focused on providing incentives for clean renewable energy in California. For many years, every major power plant proposed in California has been fueled by natural gas. Some have attributed the severity of the current energy crisis to an over-reliance on natural gas. If the trend in private development of power plants continues as expected, the state's reliance on natural gas will increase. The California Energy Commission is currently working on increasing the amount of renewable energy on-line throughout the state and has a set goal of 17 percent by 2006.

The committee heard several bills pertaining to renewable energy resources in California that attempted to assist Californians in meeting the energy demands of the state. The existing programs at the California Energy Commission provide incentive programs that include rebates, tax credits, and other incentives to consumers. The bills the committee heard this year include enhancing the work of the Green Team, continuing work on the Public Interest Energy Research Program, and providing small business incentive for renewable resources.

AB 69 (Wright) Electricity: governmental entities in Los Angeles County: contracts.

Permits specified government entities that are served by Southern California Edison within Los Angeles County to purchase electricity for use in those areas from the Los Angeles Department of Water and Power.

Last Action: Vetoed.

AB 1724 (Pavley) Public utilities: Reliable Electric Service Investments Act.

Deletes the provision that prohibits, commencing January 1, 2002, public entities from receiving customer credits for renewables, and instead, requires the Energy Commission to establish a cap on the aggregate amount which may be awarded to public entities under the program, to assure adequate funding of credits for residential and small commercial customers.

Last Action: Chaptered by Secretary of State - Chapter 774, Statutes of 2001.

PUBLIC EMPLOYEES, RETIREMENT & SOCIAL SECURITY

Honorable Sally Havice, Chair

Under the direction of its Chair, Assemblymember Sally Havice, the Committee on Public Employees, Retirement and Social Security was able to continue its efforts to improve the lives of California's public employees. The committee focused its efforts on improving retirement and health benefits for active public employees and ensuring that retired public employees have the adequate, secure pensions that people who have given their lives to public service deserve.

The committee continued its efforts to encourage the federal government to repeal the Government Pension Offset and Windfall Elimination Provision from the Social Security Act and began exploring options for mitigating the impact these offsets have on public employee pension. These provisions can significantly reduce the Social Security benefits that a public employee can receive if they also have a public pension that was not covered by Social Security. In California, these provisions primarily impact teachers and law enforcement personnel, although other public employees are impacted as well.

The committee also took steps to ensure that public employees who are called into active duty to help fight the war on terrorism do not face undue financial hardship or lose their health benefits. Special efforts were also made this year to secure the benefits of law enforcement officers and firefighters that are injured or killed in the line of duty.

Finally, the committee passed measures that will improve the conditions of employment for public employees in California. These measures will help protect and strengthen the rights of public employees and their representatives.

Among the key bills considered by the committee this legislative session were:

AB 111 (Havice) County employees retirement: health care benefits.

Requires that counties and districts and county retirement systems provide organizations that are recognized by the retirement systems of the counties or districts as representing retired employees with notice and an opportunity to comment on any proposed changes in those health care benefits.

Last Action: Chaptered by Secretary of State - Chapter 30, Statutes of 2001.

AB 135 (Havice) State teachers' retirement: purchase power protection.

Raises the purchasing power protection level for members of the State Teachers' Retirement System from 75 percent to 80 percent of the member's initial allowance.

Last Action: Chaptered by Secretary of State - Chapter 840, Statutes of 2001.

AB 197 (Correa) Volunteer firefighters: death benefit.

Requires the Board of Administration of the Public Employees' Retirement System to pay a lump-sum benefit of \$3,000 upon the death of a volunteer firefighter to his or her designated beneficiary or estate if the firefighter has accrued 10 years of service.

Last Action: Chaptered by Secretary of State - Chapter 331, Statutes of 2001.

AB 215 (Cohn) Health care benefits: survivors of firefighters and peace officers.

Establishes a state-funded program to assist uninsured spouses and dependent children of peace officers and firefighters, whose death results from the performance of their official duties, to obtain health benefits.

Last Action: Chaptered by Secretary of State - Chapter 775, Statutes of 2001.

AB 365 (Nation) School employees: classified service.

Provides that classified employees in school districts or community colleges that have not adopted a civil service merit system be able to return to their previous classification if they fail to pass probation in a new position.

Last Action: Chaptered by Secretary of State - Chapter 844, Statutes of 2001.

AB 510 (Matthews) Public employees' retirement: retiree health accounts.

Authorizes contracting local agencies of the State Public Employees Retirement System to request the transfer of excess assets to a voluntary employee beneficiary association for the purpose of providing retiree health benefits.

Last Action: Chaptered by Secretary of State - Chapter 781, Statutes of 2001.

AB 616 (Calderon) Local government employees' retirement: benefits.

Provides local contracting agencies of the California Public Employees' Retirement System the option of providing various retirement formulas to their miscellaneous members, and provides the same optional formula to county retirement systems under the County Employees Retirement Act of 1937.

Last Action: Chaptered by Secretary of State - Chapter 782, Statutes of 2001.

AB 649 (Negrete McLeod) State employees: memoranda of understanding: state bargaining units 5 and 8.

Authorizes part-time classified employees of community college districts to participate in the Cash Balance Benefit Program of the State Teachers' Retirement System. Requires community college districts to offer social security coverage and an alternative retirement plan to part-time employees and imposes a minimum contribution rate for employers of four percent of salary and a total contribution rate of eight percent.

Last Action: Chaptered by Secretary of State - Chapter 364, Statutes of 2001.

AB 1847 (Correa) Public employees: public safety members: biochemical substances.

Establishes a compensable injury presumption under the Workers' Compensation Law and the disability retirement provisions of state and local retirement systems for exposure to a biochemical substance.

Last Action: Chaptered by Secretary of State - Chapter 870, Statutes of 2002.

AB 1889 (Horton) Civil service: hearings.

Provides that if a city's civil service commission or personnel officer records a personnel hearing, the city must provide a copy of the recording to the employee upon the employee's request. If the city transcribes the recording, the city must notify the employee of the transcript's existence within three days and must provide a copy to the employee upon request. States that the city may charge direct duplication fees for copies of recordings and transcripts.

Last Action: Chaptered by Secretary of State - Chapter 732, Statutes of 2002.

AB 1890 (Horton) City employees: civil service board.

Requires that when there is a city civil service commission or a similar entity, half of the membership must be nominated by the employee organization, while the other half be appointed by the city council.

Last Action: Vetoed.

AB 2367 (Correa) Public employees' retirement: benefits of members and former spouses.

Allows members of the State Public Employees Retirement System whose retirement accounts have been separated due to divorce or legal separation, to maximize their retirement benefit without creating an increased liability to the employer. This bill also provides a new method for calculating a member's benefit when the nonmember spouse elects to receive a retirement allowance rather than a return of contributions at the time of divorce.

Last Action: Vetoed.

AB 2477 (Steinberg) State employees: excluded and exempt employees: salaries and benefits.

Establishes the Excluded and Exempt Employees Salary-Setting Commission, to consist of 5 commissioners appointed by the Governor and requires the commission, no later than May 1 of each year, to recommend to the Legislature salaries and benefits for exempt positions in state government.

Last Action: Chaptered by Secretary of State - Chapter 1044, Statutes of 2002.

AB 2777 (Nation) County employees' retirement: death benefits.

Makes domestic partners eligible for certain death benefits and survivor benefits subject to approval by the board of supervisors. Applies to Santa Barbara, Los Angeles and Marin Counties, which provide retirement benefits under the County Employees' Retirement Law of 1937 ('37 Act).

Last Action: Chaptered by Secretary of State - Chapter 373, Statutes of 2002.

AB 2846 (Frommer) Public safety officers: American flag.

Specifies in the Public Safety Officers Procedural Bill of Rights Act that the employer of a public safety officer may not take any punitive action against an officer for wearing a pin or displaying any other item containing the American flag unless certain procedures are followed.

Last Action: Chaptered by Secretary of State - Chapter 170, Statutes of 2002.

AJR 3 (Leonard) Retirement benefits: teachers.

Requests the President and Congress of the United States to enact legislation to limit the application of the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.

Last Action: Chaptered by Secretary of State - Res. Chapter 66, Statutes of 2001.

SB 2094 (Committee) Public employees' retirement: public service.

Authorizes members of CalPERS to purchase up to 3 additional years of service credit for time served as a volunteer in the Americorps.

Last Action: Chaptered by Secretary of State - Chapter 546, Statutes of 2002.

PUBLIC SAFETY

Honorable Carl Washington, Chair

The Committee on Public Safety has jurisdiction over all issues affecting the functioning of the criminal justice system such as: crime prevention, capital punishment, asset forfeiture, criminal procedure, juvenile delinquency, drug enforcement, peace officers, and state youth and adult correctional facilities. Under the strong guidance of Chairman Carl Washington, the focus of the committee has been to enact legislation that contributes to the decreasing crime rate in California by emphasizing community policing, investing in juvenile crime prevention programs and using technology to create novel apprehension strategies.

Gun Control

In 2002, the Assembly continued to enact common-sense gun control measures. The committee passed legislation to make it easier for law enforcement to confiscate firearms in domestic violence cases and to crack down on the trafficking of illegal firearms across state lines.

Crime Prevention

Recognizing that public safety is enhanced by a comprehensive strategy of prevention, enforcement, and prosecution, the committee passed such diverse measures as: establishing a young adult offender re-entry program, funding an Environmental Circuit Prosecutor Project that assists small counties in prosecuting major environmental crimes, and authorizing criminal background checks for persons with access to our water supply and electronic communications infrastructure.

Identity Theft

Law enforcement estimates that one out of every four Americans has been victimized by the rapidly growing crime of identity theft-- when someone uses personal information of another to make unauthorized purchases or transactions. Oftentimes the victim is completely unaware of the crime until they are denied credit, or discover an empty bank account. The committee has responded to this growing problem by permitting prosecutors to file charges in the county where the information was taken or where the information was used for an illegal purpose. The committee also has responded to changing technology by permitting law enforcement to investigate and prosecute the practice of "spoofing" - falsely impersonating another through electronic communications for illegal purposes.

Terrorism

In response to the growing threat of foreign and domestic terrorism, in 1999 the Legislature passed the Hertzberg-Alarcon California Prevention of Terrorism Act, making the unlawful possession or development, use, or threatened use of weapons of mass destruction a crime. In the aftermath of the September 11th terror attacks on America, the Assembly expanded the scope of existing anti-terrorism laws to include non-weaponized biological agents and other non-conventional weapons. Additionally, the committee passed a major revision to California's electronic surveillance law to meet the challenge of changing technology and criminal acts by terrorists while respecting the privacy rights of ordinary, law-abiding citizens.

Hate Crimes

According to Federal Bureau of Investigation Hate Crime Statistics, California leads the nation in hate crimes. Developing comprehensive multi-jurisdictional programs is needed to stem the continued growth of hate crimes and hate groups. The committee passed legislation to establish programs to combat hate crimes through vertical prosecution and multi-agency coordination.

Some of the key bills considered by the committee this session include:

AB 4 (Bates) Sex offenders: registration.

Requires registered sex offenders, beginning July 1, 2002, enrolled as students at any university, college or community college campus, or any person employed by a college or university, or any person residing on a campus, to register with the campus police.

Last Action: Chaptered by Secretary of State - Chapter 544, Statutes of 2001.

AB 35 (Shelley) Firearms: handgun safety certificate.

Requires those acquiring a handgun to demonstrate their knowledge of California gun law and their ability to safely handle handguns. Expands the existing Basic Firearm Safety Certificate program to reduce the number of accidental deaths and injuries. Requires local law enforcement to verify the purchaser's California ID and residency.

Last Action: Chaptered by Secretary of State - Chapter 940, Statutes of 2001.

AB 74 (Washington) Interception of communication.

Extends the sunset date of the current wiretap provisions until 2008. Adds weapons of mass destruction and destructive device crimes to the list of offenses subject to electronic surveillance upon application by law enforcement.

Last Action: Chaptered by Secretary of State - Chapter 605, Statutes of 2002.

AB 245 (Wyland) Identity theft.

Broadens the category of persons who are guilty of identity theft by including in the definition of the crime those persons who gain identity information legally, but use the information in an illegal manner.

Last Action: Chaptered by Secretary of State - Chapter 478, Statutes of 2001.

AB 469 (Cohn) Domestic violence.

Requires an officer who responds to a domestic violence incident who finds it necessary for the safety of the peace officer or other persons present to inquire of the victim, the abuser, or both, as to whether a firearm or other deadly weapon is present at the location, and to make a notation on the incident report.

Last Action: Chaptered by Secretary of State - Chapter 483, Statutes of 2001.

AB 673 (Migden) Forensic identification.

Increases the number of crimes included in the DNA data bank to include first degree robbery, first degree burglary, felony arson and carjacking.

Last Action: Chaptered by Secretary of State - Chapter 906, Statutes of 2001.

AB 725 (Vargas) School violence.

Establishes the Statewide School Violence Prevention Hotline Act that requires the State Department of Justice along with the Department of Education and California County Offices of Education to maintain a statewide toll-free school safety hotline for the purpose of receiving reports of violence and threats of violence, or feared acts of aggression that affect the safety and well-being of any school's population.

Last Action: Held in the Senate.

AB 1219 (Simitian) Criminal procedure: identity.

Establishes procedures for a victim of identity theft to initiate an investigation by a law enforcement agency or to move for an expedited judicial determination that an identity theft has occurred.

Last Action: Chaptered by Secretary of State - Chapter 851, Statutes of 2002.

AB 1312 (Nakano) The Asian Pacific Islander Anti-Hate Crimes Program.

Establishes in the Department of Justice the Asian Pacific Islander Anti-Hate Crimes Program.

Last Action: Chaptered by Secretary of State - Chapter 566, Statutes of 2001.

AB 1497 (Negrete-McLeod) California victim compensation.

Authorizes the establishment of county multidisciplinary teams or centers for the investigation and prosecution of alleged child abuse. Uses Victims Restitution Fund monies for child victim forensic evidentiary interview services conducted by county-based multidisciplinary teams.

Last Action: Vetoed.

AB 1709 (Migden) Animals: mischievous: great bodily injury.

Specifies that in addition to an owner of a "mischievous animal," any person having custody or control of such an animal who, knowing the animal's propensities, allows the animal to roam at large, or keeps the animal without ordinary care, and the animal kills or causes great bodily injury to any person who has taken reasonable precautions, is guilty of a felony/misdemeanor.

Last Action: Chaptered by Secretary of State - Chapter 257, Statutes of 2001.

AB 1773 (Wayne) Crime.

Provides that a district attorney can prosecute a person for the unauthorized use of personal identifying information in the county where the information was taken, or the county where the information was used for an illegal purpose.

Last Action: Chaptered by Secretary of State - Chapter 908, Statutes of 2002.

AB 1838 (Hertzberg) Weapons of mass destruction.

Defines murder by means of a weapon of mass destruction as first degree murder. Adds to the list of violent felonies certain offenses perpetrated by means of a weapon of mass destruction.

Expands the definition of "weapon of mass destruction" to include restricted biological agents, and an aircraft, vessel or vehicle that is used as a destructive device.

Last Action: Chaptered by Secretary of State - Chapter 606, Statutes of 2002.

AB 1860 (Migden) Sexual assault victim: pregnancy counseling: emergency contraception.

Requires that, where indicated by the history of contact, a female victim of sexual assault must be provided the option of postcoital contraception by a physician or other health care provider.

Requires that postcoital contraception be dispensed by a physician or other health care provider upon the request of the victim.

Last Action: Chaptered by Secretary of State - Chapter 382, Statutes of 2002.

AB 2080 (Steinberg) Firearms: illegal trafficking.

Enacts the Firearms Trafficking Prevention Act of 2002 and requires the Department of Justice to establish a process to ensure that Federal Firearms Licensees who accept guns in California, also are licensed under California Law.

Last Action: Chaptered by Secretary of State - Chapter 909, Statutes of 2002.

AB 2252 (Cohn) Sex crimes: evidence.

Adds assault with the intent to commit specified sex crimes to the list of prior sex offenses that may be admitted in a trial of a sexual offense to prove the character of the defendant. Eliminates the requirement that the territorial jurisdiction of the court for specified sex crimes is where the offense occurred.

Last Action: Chaptered by Secretary of State - Chapter 194, Statutes of 2002.

AB 2339 (Steinberg) Rewards.

Provides that a Governor's reward for information leading to the arrest and conviction of a person may be paid if: 1) the arrest and conviction of the person is impossible due to an intervening event, such as the death of the person; and 2) law enforcement officials determine that the person did commit the crime and the information would have lead to the arrest and conviction of that person. Provides that a reward will only be paid if the person gave the information voluntarily, and not as part of a plea bargain. This bill also requires that the US Attorney, Ca Attorney General, district attorney, chief law enforcement officer, or his or her designee, in the jurisdiction where the crime occurred make a recommendation before a reward is paid to an informant.

Last Action: Chaptered by Secretary of State - Chapter 529, Statutes of 2002.

AB 2486 (Keeley) Environmental prosecution.

Establishes the Local Environmental Enforcement and Training Act of 2002. Creates a long-term local assistance program supporting environmental law training for district attorneys, peace officers and environmental enforcement agencies by creating the Environmental Circuit Prosecutor Program.

Last Action: Chaptered by Secretary of State - Chapter 1000, Statutes of 2002.

AB 2653 (Chu) Criminal procedure.

Provides that the court may find "good cause" to continue a hate crimes trial or hearing for up to ten court days, when the prosecutor has another trial, preliminary hearing, or motion to suppress in progress.

Last Action: Chaptered by Secretary of State - Chapter 788, Statutes of 2002.

AB 2826 (Daucher) Domestic violence and familial elder adult abuse.

Allows the warrantless arrest of a relative or legal guardian of a person who is 65 year or older for assault or battery if probable cause exists and the arrest occurs as soon as probable cause arises.

Last Action: Chaptered by Secretary of State - Chapter 534, Statutes of 2002.

SB 52 (Scott) Firearms: handgun safety certificate.

Specifies that, effective Jan. 1, 2003, no person may purchase, receive, transfer, or sell a handgun, without a valid handgun safety certificate issued by the DOJ.

Last Action: Chaptered by Secretary of State - Chapter 942, Statutes of 2001.

SB 83 (Burton) Forensic testing: post conviction.

Allows, at the request of the guilty party, for the appointment of counsel prior to the filing of a motion for post-conviction DNA testing and to make other technical changes to the provisions on post-conviction DNA testing.

Last Action: Chaptered by Secretary of State - Chapter 943, Statutes of 2001.

SB 125 (Alpert) Identity theft.

Allows an identity theft victim to obtain information about unauthorized requests for credit that have been made in his or her name.

Last Action: Chaptered by Secretary of State - Chapter 493, Statutes of 2001.

SB 223 (Burton) Drug testing.

Appropriates \$8.4 million to the State Department of Drug and Alcohol Programs to provide money for urinalysis testing of participants in Proposition 36 drug treatment programs.

Last Action: Chaptered by Secretary of State - Chapter 721, Statutes of 2001.

SB 510 (Scott) Transportation facilities: offenses.

Makes it a misdemeanor to knowingly possess certain weapons, replica weapons, parts of weapons, and ammunition within a sterile area of an airport to which access is controlled by screening of persons and property. Makes it an alternate infraction/misdemeanor for an unauthorized person to enter an airport operations area.

Last Action: Chaptered by Secretary of State - Chapter 608, Statutes of 2002.

SB 780 (Ortiz) Protection of the exercise of constitutional rights.

Creates the California Freedom of Access to Clinic and Church Entrances Act. Provides criminal and civil penalties for injuring, intimidating, or interfering with, a reproductive health services client or provider or a person entering a place of worship, and for damaging the property of a reproductive provider or a place of worship.

Last Action: Chaptered by Secretary of State - Chapter 899, Statutes of 2001.

SB 1192 (Figueroa) Sex offender registration.

Bans registered sex offenders who have been convicted of sex offenses against children under the age of 16 from working or volunteering in positions where they would work directly and in an unaccompanied setting with children.

Last Action: Chaptered by Secretary of State - Chapter 224, Statutes of 2001

SB 1242 (Brulte) Criminal identification: specimen or sample collection: use of reasonable force.

Permits peace officers and correctional personnel to use "reasonable force," as defined, to collect blood specimens, saliva samples or thumb or palm print impressions for inclusion in the Department of Justice DNA data bank. Requires the Department of Corrections (CDC) and the California Youth Authority (CYA) and the Board of Corrections to adopt regulations regarding the use of reasonable force. Requires the CDC, CYA and the BOC to report to the Legislature, no later than January 1, 2005, regarding implementation of the provisions of the bill.

Last Action: Chaptered by Secretary of State - Chapter 632, Statutes of 2002.

SB 1670 (Scott) Firearm safety devices.

Makes it unlawful to keep for commercial sale, offer or expose for commercial sale, or commercially sell, any firearms safety device that is not listed on the Department of Justice (DOJ) roster or that does not comply with the standards adopted by the DOJ. Prohibits any person from keeping for commercial sale, offer, or expose for commercial sale, or commercially sell a gun safe that does not comply with the standards for gun safes unless the gun safe is labeled with a warning.

Last Action: Chaptered by Secretary of State - Chapter 917, Statutes of 2002.

REVENUE & TAXATION

Honorable Ellen Corbett, Chair (1/1/2002-3/10/2002)

Honorable Ed Chavez, Chair (3/11/2002-Current)

The Committee on Revenue and Taxation has jurisdiction over virtually all matters involving tax law changes. Most of the legislation involves the four taxes which generate the most revenue - personal income taxes, the largest source of General Fund revenue; bank and corporation taxes, another significant General Fund revenue source; sales and use taxes, the second largest source of state General Fund revenue and the largest source of discretionary revenue for certain local governments; and property taxes, another significant source of discretionary revenue for local governments. Within these areas, our committee acted on the following significant topics during the 2001-02 Legislative Session:

Federal Conformity

California has a general policy of conforming to federal tax law changes when conformity is economically feasible and in the best interests of the State. Conformity simplifies taxpayer reporting requirements, reduces taxpayer compliance costs, and eases tax law administration. The committee heard several federal conformity measures during 2001 and 2002, including several omnibus measures that would have conformed state law to federal tax law changes enacted during 1998, 1999, and 2000. During 2001, the committee heard a measure that would have moved California closer to federal conformity in the area of net operating losses, and still another measure that would have moved California closer to federal conformity in the area of research and development tax credits. The committee also heard several measures that specifically conformed to federal legislation in the areas of pensions and retirement savings accounts, and education savings accounts. Other measures heard by the committee during 2002 conformed to recent federal activity in the areas of dependent and child care credits.

Targeted Sales Tax Exemptions

This session, the committee heard and passed sales tax exemptions to encourage energy efficiency and provide tax relief and tax equity to several different groups of taxpayers. Energy conservation and efficiency were encouraged through sales tax exemptions for the purchase of energy efficient appliances and solar energy systems. Tax relief included sales tax exemptions for farm equipment, timber harvesting equipment, blood glucose strips and lancets used by diabetics. Taxpayer equity included sales tax exemptions for rural residents who purchase liquefied petroleum gas for their homes, machinists who are required to own hand tools as a condition of their employment, acupuncturists who administer herbs to their patients, asthmatics who purchase inhalers over the counter, thrift stores run by organizations that provide services to AIDS patients, and local governments who purchase and then lease public transit vehicles.

Socially Responsible Income Tax Credits

The committee passed bills to provide tax credits to businesses who donate agricultural products to food banks, provide child care for their employees' children, invest in low-income housing, contribute money to community development financial institutions, loan employees with math and

science specialties to public schools to fill teaching slots that would otherwise go unfilled, and provide group health plan insurance to workers that are laid off.

Disaster Relief and Tax Equity

During the 2001-2002 Legislative Session, the committee passed out bills that provided assistance from a variety of disasters or difficult situations. Victims of the 2000 Napa, California quake and residents of resident-owned mobilehome parks received property tax relief. Vineyard owners whose grapevines fall victim to Pierce's disease are allowed favorable net operating loss treatment. Teachers who mistakenly claimed the teacher retention tax credit were granted relief for punitive penalties. Vehicle owners earned the ability to receive the full amount of their vehicle license fee reductions on their bills rather than having to wait for a check to be sent to them through the mail. Victims of theft or embezzlement can elect to deduct the loss in the year of discovery or in the year the loss occurred.

The following are some of the significant bills considered by the committee this legislative session:

AB 10 (Corbett) Bank and corporation taxes: real estate investment trusts.

Conforms state tax law to several of the changes made to federal tax law during 1998 and 1999 and to selected other changes made to federal law during prior years. Makes other changes to California tax law intended to reduce the complexity of tax preparation and remove provisions believed to be unconstitutional.

Last Action: Chaptered by Secretary of State - Chapter 4, Statutes of 2001.

AB 81 (Migden) Property taxation: state-assessed property.

Shifts responsibility for assessing electric generation facilities with a generating capacity of 50 megawatts or more from local assessors to the state Board of Equalization and provides that revenues from these assessments be allocated to the jurisdiction where the facility is sited.

Last Action: Chaptered by Secretary of State - Chapter 57, Statutes of 2002.

AB 238 (Rod Pacheco) Income and bank and corporation taxes: net operating losses.

Allows special net operating loss treatment to losses sustained by farmers as a result of Pierce's disease and its vectors.

Last Action: Chaptered by Secretary of State - Chapter 623, Statutes of 2001.

AB 249 (Matthews) Sales and use taxes: exemptions.

Extends the current exemption for insulin and insulin syringes to lancets and blood glucose strips sold for the treatment of diabetes as directed by a physician. Further extends the exemption to the sale of such exempt items related to the treatment of diabetes regardless of whether they are furnished by a registered pharmacist. Provides for a partial sales tax exemption with respect to any herb or other items included in the Encyclopedia of Chinese Natural Medicine.

Last Action: Vetoed.

AB 426 (Cardoza) Taxation.

Provides sales and use tax exemptions for farm equipment and machinery purchases; racehorse breeding stock; diesel fuel used in specified farming, food processing and timber harvesting activities; and propane used in qualified residences and for specific agricultural activities.

Increases the benefits paid under the Senior Homeowners' and Renters' Assistance Program.

Last Action: Chaptered by Secretary of State - Chapter 156, Statutes of 2001.

AB 727 (Correa) Income and Corporation taxes: credits: donations: agriculture.

Authorizes a 10 percent tax credit for the donation of agricultural products to food banks in the Counties of Fresno, Orange or Santa Cruz.

Last Action: Held in the Senate.

AB 816 (Thomson) Income Tax: personal income tax: conformity with federal law: exclusion of gains from sale of a personal residence.

Conforms to federal tax practice by allowing California taxpayers to exclude gains from the sale or exchange of a personal residence from the computation of their gross income for state income tax purposes.

Last Action: Chaptered by Secretary of State - Chapter 164, Statutes of 2001.

AB 866 (Diaz) Personal income and business and corporation taxes: credits: child care.

Extends the sunset date for the Employer Child Care Program Credit and the Child Care Contribution Credit to January 1, 2007. Also disallows an employer credit for an employee's contribution to a dependent care plan.

Last Action: Chaptered by Secretary of State - Chapter 650, Statutes of 2001.

AB 952 (Kelley) Income taxes: exclusion.

Exempts from the Personal Income Tax the value of rebates for water and energy efficient clothes washers and plumbing fixtures to service recycled water used in toilet fixtures.

Last Action: Chaptered by Secretary of State - Chapter 212, Statutes of 2001.

AB 984 (Papan) Sales and use taxes: exemptions: sales and leasebacks of public passenger transportation vehicles.

Exempts transportation-related sale-leaseback transactions from the sales tax regardless of when the original purchase occurs until January 1, 2004 and requires a report on the exemption by January 1, 2003. Expected benefits are: (1) public agencies receive a cash payment up front on the lease to private equity investors which allows them to reduce the costs of initial purchases or pay operating costs thereby reducing their dependence on government agencies; (2) private sector equity investors are allowed to take a federal deduction for asset depreciation on their federal (and state returns) which encourages them to invest in California; (3) the state fosters expansion of local public transit systems at no cost to the state.

Last Action: Chaptered by Secretary of State - Chapter 592, Statutes of 2001.

AB 1122 (Corbett) Taxation: federal conformity.

Conforms to recent federal tax changes relative to qualified tuition plans, IRA provisions, pension provisions, estimated payments, executive compensation, club dues, appreciated property, denial of deduction of lobbying expenses and appreciated stock to private foundations.

Last Action: Chaptered by Secretary of State - Chapter 35, Statutes of 2002.

AB 1370 (Wiggins) Tax forms: taxpayers 65 or older: study: property tax assistance.

Requires the Franchise Tax Board to conduct a study of those forms relative to taxpayers who are 65 years of age or older, and to make a report of that study to the Legislature.

Last Action: Chaptered by Secretary of State - Chapter 266, Statutes of 2001.

AB 1457 (Keeley) Property taxation: mobilehomes.

Relieves certain mobilehome park residents of additional property tax liability for escape assessments when the assessor failed to act. Forgives any outstanding tax bills, but prohibits refunds.

Last Action: Chaptered by Secretary of State - Chapter 772, Statutes of 2001.

AB 1752 (Migden) Public records.

Requires the State Board of Equalization, prior to taking final action at a meeting on any item that does not involve a named tax or fee payer, to make public records pertaining to that item available at that meeting, to all persons requesting copies of the records, and on the Internet.

Last Action: Chaptered by Secretary of State - Chapter 156, Statutes of 2002.

AB 2036 (Liu) Taxpayer contributions: State Children's Trust Fund.

Extends the sunset for the State Children's Trust Fund check-off on the income tax form for five years from January 1, 2003, until January 1, 2008. Requires the fund to meet the minimum funding requirement of \$250,000 annually and provides the funds earned by the check-off be appropriated to the State Department of Social Services for the purpose of funding child abuse and neglect prevention and intervention programs.

Last Action: Chaptered by Secretary of State - Chapter 647, Statutes of 2002.

AB 2791 (Migden) Income taxes: limited liability companies: limited liability partnerships.

Requires the Franchise Tax Board to send a notice to limited liability companies and limited liability partnerships filing "final returns" that they will continue to owe the annual \$800 minimum tax until they file dissolution documents with the Secretary of State.

Last Action: Chaptered by Secretary of State - Chapter 169, Statutes of 2002.

SB 22 (Chesbro) Vehicle license fee offsets.

Repeals the rebate provisions of the vehicle license fee reduction aspect of the law, and instead provides for a direct rate reduction.

Last Action: Chaptered by Secretary of State - Chapter 5, Statutes of 2001.

SB 73 (Dunn) Taxation: low-income housing.

Increases the amount of low-income housing credits that can be allocated from \$50 million to \$70 million for the 2001 calendar year, and adjusts the amount for inflation each year thereafter.

Last Action: Chaptered by Secretary of State - Chapter 668, Statutes of 2001.

SB 145 (Perata) Sales and use taxes: exemptions: bunker fuel.

Extends the sunset date on the sales tax exemption on bunker fuel from 2003 to 2013 and conforms federal law relating to withholding and estimated payments.

Last Action: Vetoed.

SB 219 (Scott) Income taxes: victims of terrorism.

Conforms state law to specified provisions of the federal Victims of Terrorism Tax Relief Act of 2001. Waives income tax imposed on specified terrorist victims for the taxable year of death, and all prior taxable years preceding death beginning with the year before sustaining the wounds, injury or illness that led to death. Extends up to one-year certain tax filing deadlines for taxpayers, including trusts and estates, affected by disasters, terrorist attacks, or military actions.

Last Action: Chaptered by Secretary of State - Chapter 807, Statutes of 2002.

SB 409 (Vincent) Income and bank and corporation taxes: credit: qualified deposits.

Extends the sunset date on the tax credit for investment in Community Development Financial Institutions until January 1, 2007, a program considered effective in leveraging the new private investment capital into low-income communities.

Last Action: Chaptered by Secretary of State - Chapter 535, Statutes of 2001.

SB 657 (Scott) Income and bank and corporation taxes: federal conformity.

Conforms California law to various pension and retirement savings provisions enacted last year in the federal Economic Growth & Tax Relief Reconciliation Act of 2001 as well as other provisions of federal tax law.

Last Action: Chaptered by Secretary of State - Chapter 34, Statutes of 2002.

SB 1701 (Peace) Tobacco taxes: tax stamps.

Requires the State Board of Equalization to replace the stamps and meter impressions, currently required to be affixed to tobacco products, with a stamp or meter impression that can be read by a scanning or similar device, and encrypted with the (1) the name and address of the distributor affixing the stamp or meter impression, (2) the date the stamp or meter impression was affixed, and (3) the denominated value of the stamp or meter impression.

Last Action: Chaptered by Secretary of State - Chapter 881, Statutes of 2002.

SB 1724 (Speier) Income taxes: dependent care.

Increases California's refundable child and dependent care credit, effective January 1, 2003, by conforming California's credit percentages to federal child and dependent care credit increases enacted during 2001.

Last Action: Chaptered by Secretary of State - Chapter 824, Statutes of 2002.

TRANSPORTATION

Honorable John Dutra, Chair

The Committee on Transportation, under the strong chairmanship of Assemblyman John Dutra, considered landmark legislation to provide \$1.4 billion per year in new spending to reduce traffic congestion; authorize the regulation of carbon dioxide emissions from motor vehicles; and to improve growth management by allowing regional agencies to consolidate long-range planning functions.

The committee reviewed highway safety bills that would, alternatively, ban or study cell phone use in motor vehicles; set guidelines for the use of automated photographic equipment to enforce traffic signal restrictions; tighten procedures for testing and regulating the drivers of commercial vehicles; double traffic fines in certain areas; and earmark certain federal grants in order to enhance traffic safety in school zones.

In the area of environmental quality, the committee heard bills to modify the mandate regarding the sale of zero-emission vehicles; provide greater review of proposals to expand airports; and reduce traffic and pollution from commercial trucks near ports.

Some of the key bills considered by the committee included:

AB 60 (Cedillo) Vehicles: social security number: driver's licenses: identification cards.

Makes several changes regarding the eligibility requirements for an original driver's license or id card, including: 1) allowing persons that have submitted an application for lawful immigration status to apply for a driver's license or id card; 2) provides that every application for a driver's license contain the applicant's social security number (SS#) but it shall not be included on any other document issued by the DMV; 3) allows an applicant that does not have a SS# to submit a taxpayer ID number and sign an affidavit under penalty of perjury that the applicant does have a SS#; and 4) deletes the requirement that the DMV verify the authenticity of documents submitted to confirm legal presence.

Last Action: Vetoed.

AB 84 (Hertzberg) Department of Motor Vehicles: records: confidentiality: psychiatric social workers and trial court employees.

Allows employees of public agencies who are psychiatric social workers or court clerks to petition the DMV to suppress their vehicle registration or driver's license record from being released.

Last Action: Chaptered by Secretary of State - Chapter 809, Statutes of 2001.

AB 381 (Papan) Transportation: transit-oriented development: funding.

Requires 15 percent of the money in Jobs-Housing Balance Improvement Account to be made available as incentives to local governments for the siting and construction of transit-oriented and pedestrian-oriented developments within 1/3 mile of a transit station.

Last Action: Chaptered by Secretary of State - Chapter 745, Statutes of 2002.

AB 677 (Steinberg) Persons with disabilities.

Requires the state to comply with the same non-discrimination obligations that are currently applied to its political subdivisions, contractors, and others receiving state funds. Revises the definition of “disability” for these purposes to conform to the definition in other areas of existing state law.

Last Action: Chaptered by Secretary of State - Chapter 708, Statutes of 2001.

AB 770 (Nakano) Cellular telephones: vehicles: study.

Requires the California Highway Patrol to compile specified traffic collision information and to conduct a study and develop recommendations concerning the issue of driver distraction or inattention as they relate to traffic collisions.

Last Action: Chaptered by Secretary of State - Chapter 710, Statutes of 2001.

AB 1390 (Firebaugh) Air pollution.

Revises provisions in the 2001-02 Budget Act which require that at least 50 percent of specified air pollution reduction funds be allocated to communities disproportionately affected by air contaminants, including low-income communities and communities of color. Makes the 50 percent allocation applicable only in air districts with a population of one million or more persons. In air districts with less than one million population, the allocation would be encouraged, but optional.

Last Action: Chaptered by Secretary of State - Chapter 763, Statutes of 2001.

AB 1493 (Pavley) Vehicular emissions: greenhouse gases.

Requires the State Air Resources Board to develop and adopt, by January 1, 2005, regulations that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from passenger, light-duty, and other non-commercial vehicles. Prohibits the ARB's regulations from imposing mandatory taxes or fees, banning the sale of any vehicle category, including sport utility vehicles and light duty trucks, imposing vehicle weight reductions or imposing trip reduction measures or land use restrictions.

Last Action: Chaptered by Secretary of State - Chapter 200, Statutes of 2002.

AB 1564 (Cardenas) Department of Transportation: contracts: Indian tribes.

Adds federally recognized Indian tribes to the list of entities that CalTrans can contract with to perform professional and technical transportation project development services.

Last Action: Vetoed.

AB 1759 (Wesson) California Memorial Scholarship Program: California memorial license plates.

Creates the California Memorial Scholarship Program which would be administered by the California Student Aid Commission to award scholarships and need based grants to surviving spouses and dependents of California residents killed in the terrorist attacks of September 11, 2001.

Last Action: Chaptered by Secretary of State - Chapter 38, Statutes of 2002.

AB 1915 (Lowenthal) Vehicles: victims of domestic violence, replacement license plates.

Requires the DMV to provide a new set of license plates upon application from a registered owner who turns in the issued plates, and who provides proof of vehicle ownership, evidence of victimization by a domestic abuser, and evidence of efforts to get assistance in regard to the domestic abuse.

Last Action: Chaptered by Secretary of State - Chapter 80, Statutes of 2002.

AB 1937 (Dutra) Transit agencies: joint development powers.

Authorizes transit agencies to enter into joint development projects with private developers and other entities for the purpose of facilitating transit-oriented development. Transit-oriented development is a way to locate people near transit services and to decrease their dependence on driving.

Last Action: Chaptered by Secretary of State - Chapter 270, Statutes of 2002.

AB 2333 (Nakano) Transportation airports: regional transportation plans.

Requires the Southern California Association of Governments (SCAG) to assure that the aviation component of its regional transportation plan (RTP) provides a fair-share distribution of both the burdens and benefits of commercial aviation in the SCAG region. Intended to bring about a more balanced distribution throughout the Southern California region of the anticipated significant increase in aviation traffic that is expected to occur over the next two decades, and it stems specifically from the extensive plans by the Los Angeles International Airport to expand its airport facilities and make needed facility improvements.

Last Action: Vetoed.

AB 2522 (Dutra) California Highway Patrol: transportation system.

Requires California Highway Patrol, in cooperation with the Office of Emergency Services, working with federal, state, and local agencies, to perform a risk assessment of the state's transportation system and to submit a confidential report of its findings to the Legislature's leadership prior to July 1, 2003. Makes various findings relating to the effect of the terrorist attacks of September 11, 2001, on the United States.

Last Action: Chaptered by Secretary of State - Chapter 243, Statutes of 2002.

AB 2637 (Cardoza) Air pollution: enhanced motor vehicle inspection and maintenance program: San Francisco Bay Area Basin.

Phases-in the establishment of the Smog Check II (enhanced vehicle inspection and maintenance) Program in the San Francisco Bay Area Basin and extends the smog check exemption for newer vehicles by two years.

Last Action: Chaptered by Secretary of State - Chapter 1001, Statutes of 2002.

AB 2650 (Lowenthal) Air pollution: diesel emissions: California Port Community Air Quality Program.

Requires each marine terminal in the state to operate in a manner that does not cause the engines on trucks to idle for more than 30 minutes while waiting to load or unload at the terminal, and charge the air quality management district with geographical jurisdiction over the marine terminal with enforcing the requirement.

Last Action: Chaptered by Secretary of State - Chapter 1129, Statutes of 2002.

ACA 4 (Dutra) Transportation funding: sales and use tax revenues.

Amends the California Constitution to dedicate, for transportation purposes, the revenues collected from the state sales tax on gasoline, beginning in 2003-04.

Last Action: Chaptered by Secretary of State - Res. Chapter 87, Statutes of 2001.

SB 10 (Soto) Highways: Safe Routes to School construction program.

Changes the sunset date on the Safe Routes to School Program and extends the grant program from January 1, 2002 until January 1, 2005. It also delays, for two years, a required evaluation of the program.

Last Action: Chaptered by Secretary of State - Chapter 600, Statutes of 2001.

SB 255 (Speier) Crimes: unattended children in vehicles.

Makes it an infraction to leave a child under the age of six unattended in a motor vehicle, and creates a fund for an educational campaign regarding the dangers of leaving a child in a vehicle.

Last Action: Chaptered by Secretary of State - Chapter 855, Statutes of 2001.

SB 481 (Speier) Vehicles: dealers: licenses.

Clarifies that dealers are prohibited from selling a motor vehicle for more than its advertised price, requires the dealership to post a list of all motor vehicles currently advertised for sale, and allows a dealer to exclude, from the advertised price, the amount of the California tire fee.

Last Action: Chaptered by Secretary of State - Chapter 441, Statutes of 2001.

SB 667 (Peace) Automated enforcement system.

Requires at each intersection where there is an automated enforcement system that the minimum yellow light change intervals be established in accordance with the Traffic Manual of the Department of Transportation.

Last Action: Chaptered by Secretary of State - Chapter 496, Statutes of 2001.

SB 1170 (Sher) State vehicle fleet.

Establishes a structure to minimize the use of petroleum-based fuels and other transportation fuels by state agencies to encourage the purchase of ultra-low emission vehicles and zero emission vehicles and fuel-efficient replacement tires for the state fleet.

Last Action: Chaptered by Secretary of State - Chapter 912, Statutes of 2001.

SB 1918 (Torlakson) Vehicles: electric personal assistive mobility devices.

Establishes a regulatory framework that explicitly allows operation of the Segway Human Transporter, an open electric vehicle that propels a single rider through areas traversed by pedestrians.

Last Action: Chaptered by Secretary of State - Chapter 979, Statutes of 2002.

UTILITIES & COMMERCE

Honorable Rod Wright, Chair

The Committee on Utilities and Commerce devoted considerable time to legislation relating to California's electricity crisis, focusing on long term issues relating to energy market stabilization.

The committee passed legislation establishing a procurement process to be administered by California Public Utilities Commission (PUC) to eliminate after-the-fact PUC reviews of the reasonableness of electric purchases and to ensure reasonable cost recovery for investor-owned utilities (IOUs). Another measure passed by the committee provides back-up generation during Stage 1, 2 and 3 emergencies using modified diesel and alternative fuel generators. The committee also passed legislation authorizing cities to save on residential energy costs by choosing an electricity supplier for the entire community

The committee approved several measures relating to telecommunications, including legislation to prohibit the use of certain types of automatic calling devices capable of storing and calling random numbers under certain circumstances. The committee also passed legislation to provide grants to construct telecommunications facilities and provide basic telecommunications service in parts of the state with lower median incomes and without adequate telephone service.

Finally, the committee passed a number of natural gas infrastructure enhancements measures aimed at reducing the cost of natural gas and increasing the reliable supply of natural gas in the state.

The following are key bills the committee considered during the 2001-2002 Legislative Session.

AB 57 (Wright) Electrical corporations: procurement plans.

Establishes a process under which an investor-owned utility may be assured that its electricity procurement expenses will be recoverable. It also requires each electrical corporation, in its procurement plan, to show that it will procure renewable electricity until a 20 percent renewable resources portfolio is achieved.

Last Action: Chaptered by Secretary of State - Chapter 835, Statutes of 2002.

AB 58 (Keeley) Net energy metering.

Allows net metering for customers of investor-owned utilities to increase to 1000 kilowatts for solar energy systems and 50 kilowatts for wind energy systems beginning Jan. 1, 2003. Raises the total amount of net metered capacity to one half of one percent, up from one tenth of a percent, of the peak electric demand for each energy service provider. Net metering customers must reimburse the State Department of Water Resources for specified charges. The bill also institutes time-of-use meters for net metered customers. Net metering occurs when a customer generates electricity via solar and/or wind systems thereby reducing the amount of electricity purchased directly from an electric utility.

Last Action: Chaptered by Secretary of State - Chapter 836, Statutes of 2002.

AB 69 (Wright) Electricity: governmental entities in Los Angeles County: contracts.

Permits specified government entities that are served by Southern California Edison within Los Angeles County to purchase electricity for use in those areas from the Los Angeles Department of Water and Power.

Last Action: Vetoed.

AB 117 (Migden) Electrical restructuring: aggregation.

Allows cities and counties, subject to certain conditions, to aggregate their electric loads and provide service directly to their residents.

Last Action: Chaptered by Secretary of State - Chapter 838, Statutes of 2002.

AB 140 (Strom-Martin) Rural telecommunications infrastructure: grants.

Requires the Public Utilities Commission to establish a grant program to extend telecommunication services to low-income communities.

Last Action: Chaptered by Secretary of State - Chapter 903, Statutes of 2001.

AB 219 (Committee on Utilities and Commerce) Public utilities: deaf and disabled telecommunications program.

Extends until January 1, 2006, the surcharge on intrastate telephone service used to pay for the Deaf and Disabled Telecommunications Program, which provides telecommunications devices and services for the deaf and hearing impaired, and for the disabled.

Last Action: Chaptered by Secretary of State - Chapter 109, Statutes of 2001.

AB 870 (Wesson) Public utilities: automatic calling equipment.

Prohibits any person or company operating an automatic dialing-announcing device from making telephone connections where no live person is available to greet the person called.

Last Action: Chaptered by Secretary of State - Chapter 696, Statutes of 2001.

AB 1031 (Canciamilla) Natural gas supplies.

Requires long-term forecasts of the demand for natural gas and other specified information to be included in the Energy Commission's report to the Governor and Legislature regarding emergency trends and the availability of natural gas.

Last Action: Chaptered by Secretary of State - Chapter 337, Statutes of 2001.

AB 1233 (Pescetti) Public utilities: transportation charges.

Provides policy guidance to remove disincentives to in-state production and storage of natural gas.

Last Action: Chaptered by Secretary of State - Chapter 771, Statutes of 2001.

AB 1723 (Committee on Utilities and Commerce) State Library: telephonic reading systems.

Establishes the Kevin Starr Access to Information Act of 2001 and authorizes the State Librarian to provide toll-free access throughout California to telephonic reading systems for people with print disabilities.

Last Action: Chaptered by Secretary of State - Chapter 654, Statutes of 2001.

SB 47 (Bowen) Electrical restructuring: Oversight Board: Independent System Operator.

Requires Senate confirmation of members of the Independent System Operator governing board.

Extends those members' terms from one year to three years and provides for staggered terms.

Authorizes the Electricity Oversight Board to investigate any matter related to the wholesale market for electricity to ensure that the interests of California citizens and consumers are protected.

Last Action: Chaptered by Secretary of State - Chapter 766, Statutes of 2001.

SB 500 (Torlakson) Retail merchandise, utilities, and cable television: delivery, service, and repair: times.

Requires specified retail, cable television and utility companies to actively provide consumers with a mutually agreeable four-hour time window for service, and outlines procedures for appropriate notification if the service appointment is delayed.

Last Action: Chaptered by Secretary of State - Chapter 279, Statutes of 2002.

SB 1078 (Sher) Renewable energy: California Renewables Portfolio Standard Program.

Requires energy utilities to increase procurement of electricity generated from renewable energy sources by at least one percent per year with the goal of procuring at least 20% of its energy portfolio from renewable energy sources by the year 2015.

Last Action: Chaptered by Secretary of State - Chapter 516, Statutes of 2002.

SB 1269 (Peace) Powerplant site and facility certification.

Allows, with specified exceptions and exemptions, the California Energy Commission to revoke the certification of a power plant, or impose other unspecified penalties, if a project owner fails to begin construction within 12 months, without a demonstration of good cause. It also increases the penalties for false statements or failure to comply to not more than \$75,000 with the possibility of additional penalties to a maximum of \$125,000.

Last Action: Chaptered by Secretary of State - Chapter 567, Statutes of 2002.

VETERANS AFFAIRS

Honorable Dick Dickerson, Chair

In the 2001-2002 Legislative Session, the Assembly Committee on Veterans Affairs, under the guidance of its Chair, Assemblymember Dick Dickerson, responded to the needs of the state's Veterans by advancing legislation to create five new veterans' homes throughout the state, including a much needed facility in West Los Angeles. Through regular and informational hearings, the committee continued its bipartisan commitment to ensure accountability and quality of care for all veterans residing in California's veterans' homes.

In the aftermath of the September 11 tragedy, the men and women of California's military reserve and National Guard continue to be called up to serve in a wide variety of ways to guarantee the security of the state's residents at home and abroad. In recognition of the unique service provided by these individuals, the committee moved to extend benefits and services, where appropriate, to help ease the burden of, what is for many, an extended call to duty.

Following are some of the most significant bills passed by the committee during the 2001-2002 session.

AB 1850 (Nakano) Military service: health care benefits.

Establishes that the dependents of National Guard reservists are eligible for health benefits 30 days after a reservist is called to active duty in service of the state.

Last Action: Chaptered by Secretary of State - Chapter 417, Statutes of 2002.

AB 2428 (Correa) Veterans: benefits.

Includes in the definition of "veteran" any member of the military reserves or California National Guard who is called to active duty during a period when a presidential executive order specifies that the United States is engaged in homeland defense. Allows members of the California National Guard and United States reserve units called to active duty for a period of less than 90 days to be eligible for Cal-Vet home loan benefits.

Last Action: Chaptered by Secretary of State - Chapter 419, Statutes of 2002.

AB 2559 (Wesson) Veterans' Home of California.

Contains a continuous appropriation of the monies in the Veterans' Home Fund, without regard to fiscal years, and in an amount not to exceed \$31 million, to construct veterans' homes in the City of Lancaster and in the community of Saticoy, which are identified by statute, and a veterans' home located in West Los Angeles, which is an additional home established pursuant to the Veterans' Homes Bond Act of 2000. This bill would become operative only if AB 2953, SB 1234, and SB 1773 are enacted and become effective on or before January 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 216, Statutes of 2002.

AB 2953 (Wiggins) Veterans' homes: renovation.

Makes available to the State Department of Veterans Affairs \$15 million from the Veterans' Home Fund for retrofitting the California Veterans' Home, Yountville.

Last Action: Chaptered by Secretary of State - Chapter 218, Statutes of 2002.

SB 1234 (Johannessen) Veterans' homes.

Authorizes the State Public Works Board to issue lease-revenue bonds up to \$62 million to finance the acquisition, design, construction, renovation, or expansion of veterans' homes at Yountville, Barstow, Chula Vista, Lancaster, Saticoy, and West Los Angeles, and in Fresno County and Shasta County. Provides that it would become operative only if AB 2559, AB 2953, and SB 1773 are enacted and become effective on or before January 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 217, Statutes of 2002.

SB 1773 (Chesbro) Veterans' homes: renovation.

Contains a continuous appropriation, without regard to fiscal years, of an amount not to exceed \$15 million from the Veterans' Home Fund to the Department of Veterans Affairs for the renovation of the Veterans' Home of California, Yountville. Provides that this bill would become operative only if AB 2559, AB 2953, and SB 1234 are enacted and become effective on or before January 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 219, Statutes of 2002.

WATER, PARKS & WILDLIFE

Honorable Joseph Canciamilla, Chair

The Committee on Water, Parks and Wildlife has considered a number of important environmental issues this session, ranging from marine fisheries management to urban parks.

One very important issue that has not yet been resolved is the law that preceded the Endangered Species Act (ESA): the Fully Protected Species (FPS) statutes that prohibit even incidental takings of its protected species. The ESA, whose listed species are in some cases not the same as the ones protected under FPS, permits incidental takings. The protections provided by FPS could cause the failure of efforts being made in Southern California to reduce California's reliance on the Colorado River, which could result in the loss of a large portion of Southern California's water supply.

The committee has also considered bills that improve conservation efforts in the state by strengthening protections of conservation easements and by providing incentives for private landowners to engage in conservation efforts. The committee has considered bills intended to enable San Francisco and the peninsula communities to upgrade the Hetch-Hetchy water system. Important Senate bills considered by the committee include funding and governance for the Cal-Fed process, and instituting a process by which developers will be required to identify the water supplies for their projects before the projects can be approved.

The following are some of the key bills considered by the committee this session:

AB 252 (Pavley) Endangered species.

Provides temporary protection for species that were thought to be extinct and, therefore, were never listed as threatened or endangered. The protections from take remain in effect only until the Fish and Game Commission considers whether or not granting a candidate species status is warranted, which must be within 75 days.

Last Action: Vetoed.

AB 331 (Goldberg) 2002 Recycled Water Task Force.

Requires the Department of Water Resources to convene a 2002 Recycled Water Task Force to identify opportunities for increasing the use of recycled water, to identify constraints and impediments to increasing use of recycled water, and to report back to the Legislature on or before January 1, 2003.

Last Action: Chaptered by Secretary of State - Chapter 590, Statutes of 2001.

AB 340 (Wright) California Science Center: police and security services.

Requires the California Science Center in Los Angeles to establish the position of Exposition Park Manager, to be appointed by the Governor. Shifts the authority to appoint security and safety personnel from the California Science Center Executive Director to the Park Manager.

Last Action: Chaptered by Secretary of State - Chapter 479, Statutes of 2001.

AB 416 (Strom-Martin) Fish.

Extends the sunset date for an additional landing tax on commercial catching of abalone.

Last Action: Chaptered by Secretary of State - Chapter 314, Statutes of 2001.

AB 910 (Wayne) Wildlife conservation easements.

Prohibits a governmental entity from condemning any wildlife conservation easement acquired by a state agency unless the entity complies with specified procedures, to help protect wildlife conservation easements throughout the state.

Last Action: Chaptered by Secretary of State - Chapter 863, Statutes of 2001.

AB 1481 (Frommer) Urban Park Act of 2001.

Creates the Urban Park Act of 2001, subject to funding in the annual Budget Act, the purpose of which is to direct money for acquisition of land in heavily urbanized areas in order to provide more park space in underserved neighborhoods.

Last Action: Chaptered by Secretary of State - Chapter 876, Statutes of 2001.

AB 1823 (Papan) Regional water systems.

Requires the City and County of San Francisco to adopt a capital improvement program for the Bay Area regional water system, to be completed by 2015, prescribes policies and procedures for periods of water shortage or supply interruption. The bill also requires the Department of Health Services to conduct an audit of San Francisco's program of maintenance of the system and to ensure that the system is operated in compliance with state and federal safe drinking water laws, and includes provisions to be implemented if a special district is formed to administer the system.

Last Action: Chaptered by Secretary of State - Chapter 841, Statutes of 2002.

AB 1864 (Salinas) Bay Area Water Supply and Conservation Agency.

Provides for the formation of the Bay Area Water Supply and Conservation Agency in order to finance capital improvements of the Hetch Hetchy Water System, and to coordinate water conservation and planning activities.

Last Action: Chaptered by Secretary of State - Chapter 50, Statutes of 2002.

AB 2094 (Aroner) Parks and Recreation: California SNO-PARKS: permits.

Requires the State Department of Parks and Recreation (DPR) to either sell tickets to SNO PARKS directly, or contract with vendors to sell the permits. If vendors are used, DPR shall provide the tickets on consignment.

Last Action: Chaptered by Secretary of State - Chapter 292, Statutes of 2002.

AB 2401 (Thomson) Public resources: state park land acquisition.

Increases the amount that triggers a public hearing for a state park land acquisition from \$500,000 to \$5,000,000.

Last Action: Chaptered by Secretary of State - Chapter 565, Statutes of 2002.

AB 2704 (Aroner) Flood damage reduction and urban creek restoration.

Broadens the scope of the Urban Streams Restoration Program so that it can serve the needs of the larger multi-objective river restoration projects involving large watershed areas, while continuing its support of smaller restoration projects.

Last Action: Chaptered by Secretary of State - Chapter 956, Statutes of 2002.

AB 2717 (Hertzberg) Water: desalination: report.

Requires the State Department of Water Resources (DWR), not later than July 1, 2003, to report to the Legislature on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Requires DWR to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise DWR in carrying out these duties and in making recommendations to the Legislature.

Last Action: Chaptered by Secretary of State - Chapter 957, Statutes of 2002.

AB 2783 (Strom-Martin) Fish and game: endangered species: income tax contributions: steelhead trout reports.

Creates a new misdemeanor by requiring persons taking a steelhead trout in inland waters to return the nontransferable steelhead trout catch report-restoration card to the Department of Fish and Game (DFG) by a date established by the DFG. Extends the restriction on use of revenues generated from the catch cards from July 1, 2002 to July 1, 2007. Reinstates the Endangered and Rare Fish, Wildlife, and Plant Species Conservation Fund contribution provision on tax return forms until January 1, 2008.

Last Action: Chaptered by Secretary of State - Chapter 594, Statutes of 2002.

AB 2838 (Canciamilla) Water rates.

Requires the Public Utilities Commission (PUC) to issue a decision on a water utility company's application, involving a water corporation with greater than 10,000 service connections, for a general rate increase, within a certain time period. It also requires the PUC to establish a schedule to review the rates of water corporations every three years.

Last Action: Chaptered by Secretary of State - Chapter 1147, Statutes of 2002.

AB 2888 (Strom-Martin) Fishing.

Creates a salmon fishing art program to augment funds for the Commercial Salmon Trollers Enhancement and Restoration Program. Provides intent language regarding future Senate participation in the groundfish management program, and creates a moratorium on the minimum landing requirement for shark and swordfish.

Last Action: Chaptered by Secretary of State - Chapter 962, Statutes of 2002.

SB 482 (Kuehl) Endangered species.

Makes legislative findings concerning the Salton Sea and a Quantification Settlement Agreement (QSA). Requires the Resources Agency and the Technology, Trade and Commerce Agency, in consultation with specified entities and individuals, to review and report to the Governor and the Legislature, on or before June 30, 2003, on certain matters pertaining to the implementation of the QSA. Authorizes the Department of Fish and Game, contingent upon the execution of the QSA among other things, to authorize the take of species resulting from specified environmental impacts attributable to the implementation of the agreement.

Last Action: Chaptered by Secretary of State - Chapter 617, Statutes of 2002.